

## **WHO SHOULD REPORT PROFESSIONAL MISCONDUCT?**

- Classroom teachers
- Paraprofessionals
- Substitute teachers
- Librarians, guidance counselors and social workers
  - Career specialists and school psychologists
  - Principals, Assistant Principals and Deans

All employees and agents of a district school board, charter school or private school have a duty to report misconduct.

## **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)

## **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

## **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.

## **The following behavior may be indicative of misconduct that should be reported:**

- being alone with a student in a 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

## **WHO MUST REPORT CHILD ABUSE?**

Doctors  
Nurses  
Social Workers  
Police Officers  
Child Care Workers  
Any Witnesses  
Any/All School Personnel

Penalties for those who suspect a child is being abused but fail to report it have been increased from a misdemeanor to a felony. Financial penalties also have increased.

## **Child Abuse Look for the signs:**

### **Signs of Physical Abuse**

The child may have unexplained:

- bruises, welts, cuts, or other injuries
- broken bones
- burns

A child experiencing physical abuse 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**

The child may have:

- torn, stained or bloody underwear
- trouble walking or sitting
- pain or itching in genital area
- a sexually transmitted disease

A child experiencing sexual abuse may:

- have unusual knowledge of sex or act seductively
- fear a particular person
- seem withdrawn or depressed
- gain or lose weight suddenly
- shy away from physical contact
- run away from home

### **Signs of Neglect**

The child may have:

- unattended medical needs
- little or no supervision at home
- poor hygiene
- appear underweight

A child experiencing neglect may:

- be frequently tired or hungry
- steal food
- appear overly needy for adult attention

**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.

If someone tells you about  
Misconduct or child abuse be a **LEADER:**

**Listen**  
**Evaluate**  
**Act immediately**  
**Document**  
**Encourage**  
**Report**

**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.

**Who to Report to:**

**Kathy Tuerk**  
**School Principal**  
**904-387-4401**

**Father Pradeep**  
**Aerthayil, CMI**  
**Church Pastor**  
**904-388-8698**

**Diocese of St. Augustine**  
**Office of Educational Services**  
**Deacon Scott Conway**  
**Superintendent**  
**904-262-3200**

**Department of Children and Family**  
**1-800-96-ABUSE**

## **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

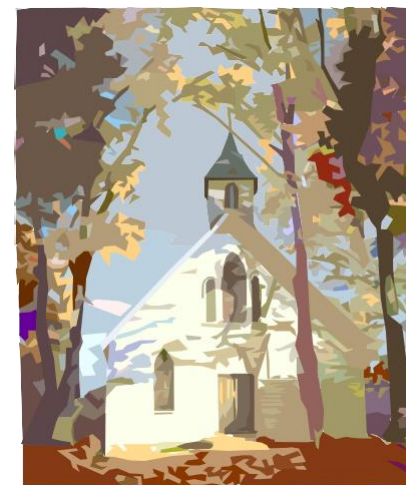
**State Board of Education Rule 6B-1.006** defines the Principals of Professional Conduct of the Education Profession in Florida

**Florida Statute s. 39.203** Immunity from liability in cases of child abuse, abandonment, or neglect.--

**Florida Statute s. 768.095** Employer immunity from liability; disclosure of information regarding former or current employees.

To review the complete Statutes chapter visit [flsenate.gov](http://flsenate.gov) or the Department of Education at <http://www.fldoe.org/>

## **Identifying and Reporting Child Abuse and Professional Misconduct**



*Let us pray, Lord, as we begin each new day,  
we ask for the wisdom, understanding, and  
guidance of your Spirit. Open our minds and  
hearts that we may see clearly. Let your will  
be made known to us that we may make our  
choices in accordance with your ways.*

*Debra Hintz*

**St. Matthew's Catholic School**  
**1773-0010 Blanding Blvd.**  
**Jacksonville, FL 32210**  
**904-387-4401**

**Employee Ethical Standards**  
**Policy & Procedures**  
**Training Brochure**