



## **Bais Yaakov of Boca Raton**

### **Standard of Ethical Conduct**

Bais Yaakov of Boca Raton (BYB) is committed to providing a safe and appropriate environment for our students, staff and employees. Parents entrust their children to the care of our school. All students are taught to respect and trust their teachers, administrators and all school personnel (educational, clerical and custodial). BYB strives to establish a safe environment for every student's physical, emotional and spiritual well-being. This policy details a broad outline of proper faculty/student, student/student and faculty/faculty interaction and behavior. These guidelines place a special emphasis on unwanted touch and the exerting of any form of verbal, physical or inappropriate psychological influence or control on students. Any violation of these guidelines will not be tolerated. In keeping with its commitment to maintain a safe environment, the BYB will conduct a thorough investigation, report such violations when legally mandated to appropriate authorities and take necessary measures to counsel or remove individuals who violate these principles.

Any allegations of abuse, harassment or violations of behavioral standards should be reported promptly. See the "Child Abuse Reporting Policy" included with this document, for our school's procedures.

To achieve these goals, all BYB staff members are expected to adhere to the Behavioral and Ethical Standards:

#### **BEHAVIORAL STANDARDS**

While the overwhelming majority of interactions between administration, staff and students fall well within the range of normal healthy relationships, certain behaviors should be regarded as incompatible with the goals and standards of Bais Yaakov of Boca Raton and therefore are always prohibited.

- Teachers/staff may not be alone with a student/students in an area which potentially cannot be seen or observed by other staff members or adults.
- Doors equipped with windows to permit external viewing of the classroom must remain unobstructed at all times.

- Physical force must never be used other than to safeguard against immediate physical danger.
- There must never be unwelcome physical contact, such as patting, squeezing, pushing and physical assault and inappropriate touching.
- Teachers/staff must refrain from denigrating students and other teachers/staff publicly or privately, or from attempts to control or manipulate students through psychological means.
- Teachers/staff may never forbid students to share any conversations or information with parents or administration, nor instruct students to “keep secrets” from their parents.
- Teachers/staff must refrain from sexual attention towards others in the form of remarks, jokes or innuendoes about a person’s body or clothing, including threats of such behavior.
- Teachers/staff shall not display demeaning, suggestive or pornographic material, nor may they be brought onto campus.
- There can be no indirect or explicit invitations to engage in inappropriate or suggestive activities which may or may not include a promise to reward for complying or a threat of reprisal for not complying.

All teachers and administrators employed by Bais Yaakov of Boca Raton are required to review the “Principles of Professional Conduct for the Education Profession in Florida” as set forth by the Florida Department of Education, as listed below. These rules of conduct will be strictly maintained and enforced by BYB.

RULE 6A-10.081, FLORIDA ADMINISTRATIVE CODE, PRINCIPLES OF PROFESSIONAL CONDUCT FOR THE EDUCATION PROFESSION IN FLORIDA.

(1) Florida educators shall be guided by the following ethical principles:

(a) The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

(b) The educator’s primary professional concern will always be for the student and for the development of the student’s potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

(c) Aware of the importance of maintaining the respect and confidence of one’s colleagues, of students, of parents, and of other members of the community, the educator strives to achieve and sustain the highest degree of ethical conduct.

(2) Florida educators shall comply with the following disciplinary principles. Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator’s certificate, or the other penalties as provided by law.

(a) Obligation to the student requires that the individual:

1. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student’s mental and/or physical health and/or safety.
2. Shall not unreasonably restrain a student from independent action in pursuit of learning.
3. Shall not unreasonably deny a student access to diverse points of view.

4. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
5. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
6. Shall not intentionally violate or deny a student's legal rights.
7. Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
8. Shall not exploit a relationship with a student for personal gain or advantage.

9. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

(b) Obligation to the public requires that the individual:

1. Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
2. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
3. Shall not use institutional privileges for personal gain or advantage.
4. Shall accept no gratuity, gift, or favor that might influence professional judgment.
5. Shall offer no gratuity, gift, or favor to obtain special advantages.

(c) Obligation to the profession of education requires that the individual:

1. Shall maintain honesty in all professional dealings.
2. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
3. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.
4. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.
5. Shall not make malicious or intentionally false statements about a colleague.
6. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues.
7. Shall not misrepresent one's own professional qualifications.
8. Shall not submit fraudulent information on any document in connection with professional activities.
9. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
10. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

11. Shall provide upon the request of the certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
12. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.
13. 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 943.0585(4)(c) and 943.059(4)(c), F.S.
14. Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), F.S.
15. Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), F.S.
16. Shall comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.
17. Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

#### TRAINING REQUIREMENTS

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.

#### REPORTING MISCONDUCT BY INSTRUCTIONAL PERSONNEL AND ADMINISTRATORS

All instructional personnel, educational support employees, and school administrators have an obligation to report misconduct by instructional personnel, educational support employees, 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. Reports of misconduct of employees should be made to Mrs. Malka Halpern ([mhalpern@byboca.org](mailto:mhalpern@byboca.org)) and she will investigate the situation. Reports of misconduct committed by administrators should be made to Rabbi Noach Light (+1 (818) 388-6822) and he will further investigate the claims. 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 on site and on our web site at [www.byboca.org](http://www.byboca.org). Failure to report actual or suspected cases of abuse is now a felony offense.

#### CHILD ABUSE REPORTING POLICY

As educational professionals, we have moral and legal responsibility to protect the children we teach from child abuse, neglect and abandonment.

Jewish Torah values, as enunciated by modern day Torah leaders, call upon all educators and caregivers of children to be proactive in protecting children from all forms of abuse.

The State of Florida considers any teacher or employee as a 'Mandated Reporter.' This means that any school teacher who knows or has reasonable cause to suspect that a child is being harmed or threatened with harm by the person responsible for the care of the child, to report that information to the Department of Children and Family Services ("DCF"). Harm includes child abuse, neglect or abandonment. Failure to report child abuse can result in criminal prosecution. This policy is designed to provide you with guidance in recognizing child abuse and procedures for reporting child abuse.

Florida Statute § 39.01 defines abuse as any willful act or threatened act that results in physical, mental or sexual injury or hardship that causes or is likely to cause a child's physical, mental or emotional health to be significantly impaired. Corporal punishment by a parent or legal guardian for disciplinary reasons does not, by itself, constitute child abuse when it does not result in harm to the child. ON the other hand, spousal abuse, even if the child is not physically harmed, can cause emotional harm to the child that could warrant a report.

Florida Statute § 39.01 defines neglect as depriving the child of necessary food, clothing, shelter, supervision or medical treatment. Neglect also occurs when a child is permitted to live in an environment that causes the child's physical, mental or emotional health to be significantly impaired or to be in danger of being significantly impaired.

Florida Statute § 39.01 defines abandonment as a situation in which the parent or legal guardian of a child makes no provisions for the child's support and makes not effort to communicate with the child. This situation is sufficient to evince a willful rejection of parental obligations.

#### 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).