

## District Board of Trustees Policy (BOT)



**Policy Title:** Employee Code of Ethics and Professional Responsibilities

**Policy Number:** 6Hx6:5.03

**Specific Authority:**

Florida Statute 112.311, 112.312, 112.313, 1004.64  
Florida Administrative Code

**Policy Approved:** 09/23/08; 04/22/14; 04/18/17

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### **POLICY:**

#### **A. Statement and Purpose**

By promoting a collaborative and supportive working environment, Florida SouthWestern State College seeks to provide and sustain an atmosphere conducive to, mutual respect and trust, successfully allowing all employees to work towards the common purpose of achieving the College's mission.

#### **B. Responsibilities of Employees as Members of the College Community**

All FSW employees have certain key responsibilities as professionals and as members of the College community. Included are the responsibilities to:

- Observe and follow all applicable local, state and federal laws and report violations to the appropriate office or administrator.
- Self-report any arrests or criminal charges the employee has been the subject of within two (2) business days to the Office of Human Resources;
- Be knowledgeable of and accountable to follow all published College policies and procedures and report violations to the appropriate office or administrator;
- Respect the rights, opinions, privacy, and property of individuals, groups, the College, and the neighboring community;
- Carry out one's employment responsibilities and duties and understand the need for accountability;
- Present an image appropriate to the work being performed. Appropriate personal appearance is an ongoing requirement of employment with the College.
- Exhibit behavior that does not interfere with academics, professional development, scholarly work and research, or any College services, operations or activities;
- Exhibit appropriate behavior both on and off campus when acting as a College representative; and
- When speaking or acting as a private person, avoid creating the impression that one is speaking or acting for a College area, sector, or College, or for the College as a whole.

### C. Responsibilities to Students in Teaching and Support Services

The unequal authority inherent in these relationships can heighten the vulnerability of the student and the potential for coercion or other inappropriate conduct by employees. The pedagogical relationship between a faculty member and student, and the support relationship between a staff member and a student, must be protected from influences or activities that can interfere with learning or with the services and mission of the College.

In this section, the term “student” is defined per BOT Policy Student Code of Conduct.

Members of the College faculty and staff will:

- Demonstrate respect for the student as an individual and adhere to the proper role as an educator, counselor, mentor, or facilitator;
- Deal justly and considerately with each student;
- Not engage in discrimination or harassment in violation of College policy or state and federal laws, or in any arbitrary denial of access to programs and/or services;
- Respect the professional nature of the relationship between faculty/staff member and student;
- Respect the confidential nature of student educational records under FERPA;
- Avoid exploitation of students for private advantage;
- Avoid personal relationships that may create a conflict of interest in the workplace;
- Recognize and avoid situations with students where conflicts of interest may arise;
- Give recognition and acknowledgement of significant contributions by students to the faculty or staff member’s work and research;
- Respect the rights of students to pursue individual life styles;

### D. Section 112.312, Florida Statutes

College employees are subject to certain provisions of the Code of Ethics for Public Officers and Employees. All College employees shall comply with the applicable provisions of the Code including, but not limited to, the following:

**Solicitation and acceptance of gifts.** No employee shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the official action or judgment of the employee would be influenced thereby.

**Doing business with the College.** Subject to certain exemptions as set forth in Section 112.313(12), Florida Statutes, no employee, acting in a private capacity, shall rent, lease, or sell any realty, goods, or services to the College.

**Unauthorized compensation.** No employee or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such employee knows, or, with the exercise of reasonable care, should know, that it was given to influence any action in which the employee was expected to participate in his or her official capacity

**Misuse of public position.** No employee shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself or herself or others.

**Use his/her official authority or influence** for the purpose of interfering with an election, or a nomination of office, or coercing or influencing another person’s vote, or affecting the

result thereof, or

1. Directly or indirectly coerce or attempt to coerce, command or advise any other officer or employee to pay, lend or contribute any part of his/her salary, kickback any sum of money, or anything else of value to any party, committee, organization, agency or person for political purposes.
2. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

**Conflicting employment or contractual relationship.** Subject to certain exemptions as set forth in Section 112.313(12), no employee shall have or hold any employment or contractual relationship with any business entity which is doing business with the College; nor shall an employee have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

**Disclosure or use of certain information.** No employee shall disclose or use information not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

**Employees holding office.** No employee shall hold office as a member of the District Board of Trustees while, at the same time, continuing as an employee of the College.

#### **E. Construction**

In accordance with the provisions of Section 112.316, Florida Statutes, it is not the intent of the Code of Ethics for Public Officers and Employees or of the District Board of Trustees, nor shall this policy be construed to prevent any employee of the College from accepting other employment or following any pursuit which does not interfere with the full a faithful discharge by such employee of his or her duties to the College.

Prohibitions against doing business with the College shall be construed to include a prohibition against College employees, acting in a private capacity, from engaging in the sale of instructional materials to students except as a regular part of the operation of the College such as sales through the college bookstore.

#### **F. Relationship of this Code to Disciplinary Action**

The need and authority to discipline employees for misconduct in appropriate cases derives from the shared recognition by employees and the administration that the purpose of discipline is to preserve conditions that support the common purpose of achieving the College's mission.

In some instances, conduct that is contrary to the aforementioned standards and responsibilities may be considered unacceptable, and may result in disciplinary action Florida SouthWestern State College COP – 05-0901 Disciplinary Procedures. Violations of provisions of Florida ethics laws may results in civil penalties which include, but are not limited to, dismissal from employment; as well as subject the violator to the criminal penalties.

**G.** The President is authorized and directed to develop appropriate operating procedures to implement this policy.