POLICY: 6Hx28: 3E-05.2

Responsible Official: Executive Vice President, Administrative Services

Policy Contacts: Chief Human Resources Officer

Specific Authority: -1001.64, F.S.
Law Implemented:–1001.64, F.S., Section 112.313, F.S.; 112.317, F.S.; 112.3173, F.S.

Effective Date: ~~02-24-2021~~12-03-2026

Date of Last Policy Review: ~~06-22-2023~~12-03-2026

Ethical Conduct and Performance

Policy:

I. Statement of Purpose and Scope

Valencia College ("College") expects all College employees, when acting on behalf of the College, to maintain and exhibit the highest standards of professional and ethical conduct. The purpose of the statement of ethical principles and responsibilities is to articulate the expectations to which all College employees will hold one another in the conduct of College business. Adherence to these principles and standards is the foundation upon which the College provides opportunities for academic, technical, and life-long learning in a collaborative culture dedicated to inquiry, results, and excellence.

II. Statement of Ethical Principles and Responsibilities

All employees in the ~~Valencia~~ College community are expected to treat one another, our_ – students, and members of the public with integrity, professionalism, and civility. Employees are expected to comply with the applicable laws and regulations expected of all citizens and specifically, as College employees, to meet the ethical standards set forth in Section 1-12.313, F.S., the Code of Ethics for Public Employees, and related ~~Valencia~~ College Policy 6Hx28: 2-01, Discrimination, Harassment and Related Misconduct, and to adhere to the standards set forth in the College's Policy Against Improper Activities; Whistleblower Protection (~~Valencia~~ College Policy 6Hx28: 1-10). In addition, the College calls members of our community to meet additional responsibilities that arise naturally in an institution dedicated to learning, academic inquiry and rigor.

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A. All employees share fundamental responsibilities in our conduct with others.

1. To ~~Valencia~~ College students, we aspire to ~~create an equitable environment and~~ provide fair access to educational opportunities and resources, the right to explore and express ideas, and the opportunity to achieve success in an environment free from harassment and discrimination.

2. To ~~all Valencia~~ College employees, we offer the opportunity to work to their utmost potential in an environment dedicated to continuous improvement and free from discrimination and harassment.

3. To ~~Valencia~~ College faculty, we aspire to create an environment that provides the academic freedom appropriate to explore the full spectrum of ideas in teaching, research, and service.

4. To ~~Valencia~~ College staff, we strive to create a culture that emphasizes our value of people, professional development, and lifelong learning.

5. To ~~Valencia~~ College trustees, we owe our honest, informed judgment on issues related to the operation of the College and our careful and lawful stewardship of resources.

6. To ~~Valencia~~ College community partners, we pledge to conduct our business with integrity and to strive to be a dedicated partner in meeting our community's educational, workforce, and economic development needs.

B. In addition, all employees are expected to adhere to the following ethical principles. These overarching ethical principles are intended to serve as a foundation for the conduct of day-to-day operations of the College and a general guide for decision-making by College employees.

1. All ~~Valencia~~ College employees are expected to treat others with respect regardless of differences or points of view. The achievement of our mission is predicated on our ability to inquire, test, assess, and explore ideas that may not be popular or common. Every College employee is expected to contribute to a safe environment where the free exchange of ideas is encouraged and to treat one another with dignity.

2. All College employees are expected to steward resources in the most thoughtful and prudent manner. Employees are expected to ensure that all resources are used for the designated purpose.

3. All members of the College community are expected to conduct their business with integrity. Potential conflicts of interest or commitment must be thoughtfully considered and disclosed as soon as possible to the immediate supervisor and/or Organizational Development and Human Resources ("ODHR") at HR4U@valenciacollege.edu or 407-582-4748 (HR4U)~~as soon as possible~~.

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~~5.~~4. ~~-~~All College employees are expected to conduct their personal and financial obligations in such a manner as to prevent the involvement of the College.

~~6.~~5. No College employee shall use a position of authority for personal/private gain or advantage, to influence or encourage others to perform inappropriate or illegal acts, or to violate laws, regulations, or College policies.

~~7.~~6. Employees should avoid any apparent conflict and must avoid any actual conflict between their professional responsibilities and personal interests in dealings or relationships with students or ~~supervised~~ employees.

~~8.~~7. ~~Valencia~~ The College is a community that values ~~inclusion,~~ trust and respect as beneficial for the working and learning environment of all its community members. When ~~faculty and staff members~~employees interact with students, or with fellow ~~faculty/staff~~employees who are direct or indirect reports, the ~~faculty/staff members~~employees are frequently in a position of trust and influence. In their relationships with students, or with employees who they supervise, the ~~faculty/staff members~~employees are expected to be aware of their professional responsibilities and to avoid apparent or actual conflicts of interest, favoritism or bias.

a. Recognizing that romantic, ~~or~~ sexual, or familial relationships may occur in ~~a c~~the College environment, these relationships must not jeopardize the effective functioning of the College by the appearance of conflicts of interest, favoritism or unfairness in the exercise of professional judgment, or by leading to claims of violations of other College policies.

b. Romantic and Sexual Relationships:

1. The College considers romantic or sexual relationships between faculty (including instructional support staff) and their students or likewise between supervisors and their supervised employees/student employees, to be a basic violation of professional ethics and responsibility when one party has any professional responsibility for the other's academic or employment performance or professional future, due to the asymmetry of these relationships. In addition, such relationships also may have the potential to result in claims of sexual harassment or other related ~~/~~misconduct, which are investigated and resolved under College Policy 6Hx28: 2-01 Discrimination, Harassment, and Related Misconduct~~applicable College policies~~.

2. Accordingly, romantic or sexual relationships between 1) faculty (including without limitation instructional support staff) and their students, or 2) a supervisor and their

supervised employee (whether faculty, staff, or student employee) are prohibited while the faculty member/supervisor has direct supervision of or any influence on the student's/staff member's evaluation and/or academic or professional progress.

c. Familial Relationships:

1. For purposes of this policy, familial relationships include relationships by blood, marriage, domestic partnership, or household membership. This includes, but is not limited to, spouse or domestic partner, parent, child, -sibling, grandparent, grandchild, aunt, uncle, niece, nephew, in-laws, step-relatives, and any individual residing in the same household or with whom the employee has a close personal relationship comparable to a family relationship.

2. College employees are prohibited from directly hiring, supervising, evaluating, or otherwise influencing the academic, employment, or professional progress of an individual with whom they have a familial relationship.

~~9.~~8. ~~Valencia~~ The College maintains confidential and personal records for a variety of business reasons, and some records must be kept confidential as a matter of federal and state law. All members of the College community are expected to protect such information through proper safeguards and follow all related College policies pertaining to confidentiality in the regular conduct of College business.

~~10.~~9. The College is committed to the protection of all parties (the reporting and responding parties) related to the reporting of a concern or a violation of the standards set forth in this policy. Making a knowingly false or frivolous report of violation or suspected violation of this policy is prohibited and may result in disciplinary action. For more information, see College Policy 6Hx28: 3E-08 Disciplinary Action.

III. State of Florida Code of Ethics for Public Employees

A. Under the provisions of Section 112.313, 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:

1. 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.

a. Gifts of materials, equipment, merchandise, or cash received as a result of the purchase of or the official adoption of books, equipment, or materials by the College shall become the property of the College.

2. 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. In addition, no employee acting in their official capacity as a purchasing agent, or otherwise acting in their official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for the College from any business entity of which the employee or employee's spouse or child is an officer, partner, director, or proprietor or has a material interest.

3. Unauthorized Compensation

No employee or their 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 their official capacity.

4. Misuse of Public Position

No employee shall corruptly use or attempt to use their official position or any property or resource which may be within their trust, or perform their official duties, to secure a special privilege, benefit, or exemption for themselves or others.

5. 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 their private interests and the performance of their public duties or that would impede the full and faithful discharge of their College duties.

6. Disclosure of Use of Certain Information

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

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7. Employee 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.

B. Construction

1. 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 their duties to the College. See also College Policy 6Hx28: 3E-05.3 Conflict of Commitment Relating to Outside Employment and Outside Activities.

2. Prohibitions against doing business with the College shall be construed to prohibit College employees, acting in a private capacity, from engaging in the sale of instructional materials to students except as a regular part of the operationof the College such as sales through the College campus store.

C. Violations of State Code of Ethics for Public Employees: Penalties

Violation of any provision of Sec. 112.313, F.S. shall subject the employee to the civil penalties provided in Section 112.317, Florida Statutes, which include, but are not limited to, dismissal from employment; as well as subject the violator to the criminal penalties provided in Section 112.3173, Florida Statutes.

IV. The College President or designee may adopt procedures to implement this policy.

Policy History:
Adopted 12-11-74; Amended 1-19-83; Amended 11-18-92; Amended 2-26-14; Amended 2-28-2018; Amended 2-24-2021; Amended 12-03-2026; Formerly 6Hx28:7-10; Formerly 6Hx28:07-26

Related Documents/Policies:

College Policy 6Hx28: 1-10 Policy Against Improper Activities; Whistleblower Protection
College Policy 6Hx28: 2-01 Discrimination, Harassment, and Related Misconduct
College Policy 6Hx28: 3E-08 Disciplinary Action
College Policy 6Hx28: 3E-05.3 Conflict of Commitment Relating to Outside Employment and Outside Activities
Combines/repeals: 3E-05.4, 3E-07

Procedures:

I. Seeking Clarification

After reading this statement of ethical principles and responsibilities and related College policies, you may need additional clarification about the best course of action to follow in a specific situation. In such cases, contact your immediate supervisor, the responsible office for the applicable policy, or the Office of Policy and General Counsel for assistance.

II. Reporting Concerns or Violations

A. Each member of the College community is expected to report violations or concerns about possible violations that come to their attention to the respective supervisor, ~~or the~~to Organizational Development and Human Resources ("ODHR)", or another appropriate office for further evaluation and appropriate action as deemed necessary ~~and appropriate action~~. The College accepts reports submitted by anonymous sources; however, based on limited information and/or lack of ability to engage in necessary dialogue with the anonymous reporter, this approach may impede or prevent the College from adequately reviewing and responding to stated concerns. Any adverse action taken against anyone who reports violations or concerns about possible violations may result in appropriate disciplinary action. Supervisors have a special duty to promote adherence to the standards set forth in this document, to recognize violations, to report through the appropriate channels, and to enforce the standards.

1. In some situations, the most effective resolution to a concern may be a conversation among colleagues to raise, address, and resolve the issue at hand. Addressing a situation in this manner may be most appropriate for concerns pertaining to interpersonal disagreements or to clarify actions or intent.

2. If applicable, you may also contact ~~the Organizational Development and Human Resources office~~ODHR, the Equal Opportunity ~~O~~office, or the ~~Office of~~ Compliance and Audit office.

3. Allegations, reports or other information concerning an unreported prohibited relationship where one party has any professional responsibility for the other's academic or job performance or professional future, when received by supervisors, deans, or other responsible persons will be reported to ~~Organizational Development and Human Resources~~ODHR and reviewed and responded to by the appropriate offices. If an employee~~faculty or staff~~, whether or not involved in the prohibited relationship, believe they have been, or are being, adversely affected by the relationship, they are encouraged to contact ODHR~~Organizational Development and Human Resources~~. If an unreported prohibited relationship is determined to exist, an approved management plan will be implemented to ensure suitable supervision/evaluation of the student or supervisee, and appropriate disciplinary measures with regard to the supervisor/faculty member may be taken, ~~including sanctions including and not limited to written reprimand, suspension and/or dismissal as provided by~~as outlined in College Policy

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6Hx28: 3E-08 Disciplinary Action.

4. If questions or concerns arise regarding potential harassment or discrimination, the individual should refer to College Policy 6Hx28: 2-01 Discrimination, Harassment and Related Misconduct, and contact the Office of Equal Opportunity.

5. A pre-existing relationship that could reasonably be perceived as being prohibited by this policy must be reported immediately by the faculty member/supervisor who has professional responsibility for the other person's academic or job performance or professional future. This report is made to an appropriate administrator (dean or other supervisor) and an approved management plan~~, acceptable to the College (Human Resources and respective Executive or their designated representatives),~~ will be implemented to assure that the student/staff member/faculty member receives objective evaluation and supervision. Such management plan may include, without limitation, changing the supervisor, having a different faculty member evaluate academic work or render academic support, or having the student change courses and may require cessation of either the personal or supervisory professional relationship.

III. Tutoring

A. Free on site (drop-in basis) and online tutoring services and materials are available for current or transient Valencia College students for a variety of courses. Eligible students in need of or those requesting tutoring services should be referred to the College's Learning Support Centers. Eligible students may obtain more information on tutoring by visiting a campus Learning Support Center or the College website at: https://valenciacollege.edu/students/learning-support/.

B. Professors may provide fee-based private lessons for College students currently enrolled in corresponding fine and/or performing arts programs or courses, with the specific prior written consent of the respective dean, in consultation with Organizational Development and Human Resources.

C. In order to avoid conflicts of interest or conflicting employment/contractual relationships in violation of the policy on Ethical Conduct and Performance, College employees shall not receive compensation for tutoring, tutoring referrals and/or remedial services from or on behalf of a student while the student is currently enrolled in their course and/or receiving services directly from the employee through the College.

1. The College recognizes that faculty members, tutors, and other staff who may be affiliated with third party tutoring companies or may also be self-employed in the tutoring business; however, faculty may not directly solicit or refer any College students for classes in which they are currently enrolled where the solicitor/referral source would receive a direct or indirect financial benefit for

paid tutoring/remedial services, nor meet with students on or off campus, or online, for such paid tutoring engagements.

Procedure History:

Adopted 12-11-74; Amended 1-19-83; Amended 11-18-92; Amended 2-26-14; Amended 2-26-14, 2-28-18, Amended 8-22-18; Amended 2-24-21; Amended 6-22-23; Amended 12-03-26; Formerly 6Hx28:7-10; Formerly 6Hx28:07-26

Date of Last Procedure Review: ~~06-22-2023~~12-03-2026

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