

R277. Education, Administration.

R277-322. LEA Codes of Conduct.

R277-322-1. Authority, ~~and~~ Purpose, and Oversight Category.

(1) This rule is authorized by:

(a) Utah Constitution [Article X, Section 3](#), which vests general control and supervision over public education in the Board;

(b) ~~]Section]~~ Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section [63G-7-301](#), which requires the Board to create a model policy that regulates behavior of a school employee toward a student.

(2) The purpose of this rule is to require LEAs to create a code of conduct/appropriate behavior policy applicable to the LEA's staff.

(3) This Rule R277-322 is categorized as Category 2 as described in Rule [R277-111](#).

R277-322-2. Definitions.

(1) "Boundary violation" means the same as that term is defined in Rule [R277-210](#).

(2) "Staff" or "staff member" means an employee, contractor, or volunteer with unsupervised access to students.

(3) "Sexual conduct" means any sexual contact or communication between a staff member and a student, including:

(a) "sexual abuse" as defined in Section [76-5-404](#).1;

(b) "sexual battery" as defined in Section [76-9-702](#).1; or

(c) a staff member and student sharing any sexually explicit or lewd communication, image, or photograph.

R277-322-3. Required Code of Conduct Policy.

(1) The Superintendent shall create a model code of conduct/appropriate behavior policy.

(2) Each LEA shall adopt a code of conduct/appropriate behavior policy applicable to the LEA's staff.

(3) An LEA's code of conduct/appropriate behavior policy, adopted pursuant to Subsection (2), may not be less stringent than the model code of conduct/appropriate behavior policy described in Subsection (1) and shall include, at a minimum:

(a) a statement that a staff member [~~should~~] shall avoid boundary violations, as defined in Rule [R277-210](#), with students;

(b) a statement that a staff member may not subject a student to:

(i) physical abuse;

(ii) verbal abuse;

(iii) sexual abuse; or

(iv) mental abuse;

(c) a statement that a staff member shall report any suspected incidents of:

(i) physical abuse;

(ii) verbal abuse;

(iii) sexual abuse;

(iv) mental abuse; or

(v) neglect;

(d) a statement that a staff member may not touch a student in a way that makes a reasonably objective student feel uncomfortable;

(e) a statement that a staff member may not participate in sexual conduct with a student;

(f) a statement regarding appropriate verbal or electronic communication between a staff member and a student;

(g) a statement regarding providing gifts, special favors, or preferential treatment to a student or group of students;

(h) a statement that a staff member shall not discriminate against a student on the basis of sex, race, religion, or any other prohibited class;

(i) a statement regarding appropriate use of electronic devices and social media for communication between a staff member and a student;

(j) a statement regarding use of alcohol, tobacco, and illegal substances during work hours and on school property;

(k) a statement that a staff member is required to:

(i) report any suspicion of child abuse or bullying to the proper authorities;

(ii) annually read and sign all policies related to identifying, documenting, and reporting child abuse; and

(iii) for an employee or contractor, annually attend abuse prevention training required in Section [53G-9-207](#); and

~~[(3)]~~(4) An LEA shall post the LEA's code of conduct/appropriate behavior policy adopted pursuant to Subsection (2) on the LEA's website.

~~[(4)]~~(5) An LEA shall annually provide training to staff regarding the policy, including the staff member's responsibility to report and how to report:

(a) known violations of the LEA's code of conduct/appropriate behavior policy; and

(b) known violations of the Utah Educator Standards contained in Rule R277-~~[240]~~[217](#).

~~[(5)]~~(6) A staff member shall annually sign a statement acknowledging that the staff member has read and understands the code of conduct/appropriate behavior policy.

KEY: codes of conduct, appropriate behavior, employee conduct

Date of Last Change: April 11, 2022

Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401](#)(4); [63G-7-301](#)