

1 **R277. Education, Administration.**

2 **R277-322. LEA Codes of Conduct.**

3 **R277-322-1. Authority, [and] Purpose, and Oversight Category.**

4 (1) This rule is authorized by:

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

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

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

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

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

16

17 **R277-322-2. Definitions.**

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

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

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

24 (a) "sexual abuse" as defined in Section [76-5-404.1;](#)

25 (b) "sexual battery" as defined in Section [76-9-702.1; or](#)

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

28

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

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

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

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

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

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

40 (i) physical abuse;

41 (ii) verbal abuse;

42 (iii) sexual abuse; or

43 (iv) mental abuse;

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

45 (i) physical abuse;

46 (ii) verbal abuse:

47 (iii) sexual abuse:

48 (iv) mental abuse; or

49 (v) neglect:

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

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

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

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

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

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

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

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

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

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

68 (iii) for an employee or contractor, annually attend abuse prevention training
69 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.

72 [4](5) An LEA shall annually provide training to staff regarding the policy,
73 including the staff member's responsibility to report and how to report:

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

75 and

76 (b) known violations of the Utah Educator Standards contained in Rule R277-
77 [210]217.

78 [§5](6) A staff member shall annually sign a statement acknowledging that the
79 staff member has read and understands the code of conduct/appropriate behavior
80 policy.

81

82 KEY: codes of conduct, appropriate behavior, employee conduct

83 Date of Last Change: April 11, 2022

84 **Authorizing, and Implemented or Interpreted Law:** [Art X Sec 3](#); [53E-3-401\(4\)](#); [63G-](#)
85 **7-301**