

**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) 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

(i) regulates behavior of a school employee toward a student;

(ii) provides for waiver of immunity from suit for sexual battery or sexual abuse unless the public school has provided training on a code of conduct as defined in Sec. 63G-7-301(3)(a)(i) and required employees to sign a statement acknowledging that employees read and understood the agency's code of conduct.

(2) The purpose of this rule is to:

(a) [~~require LEAs to create a code of conduct or appropriate behavior policy applicable to the LEA's staff.~~] require that each LEA and school adopt a code of conduct, not less stringent than the model code of conduct defined in Section 63G-7-301(3) that applies to all employees within the LEA;

(b) require that the LEA or school provide training on the locally adopted code of conduct; and

(c) require that all employees sign a statement acknowledging having read and understood the required code of conduct.

~~[(3) This Rule R277-326 is categorized as Category 2 as described in Rule R277-111.]~~

(3) Nothing in this rule shall limit the Board's authority under Rules R277-210 through R277-217 to investigate or discipline licensed educators for violations of public educator standards.

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

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

~~—— (2) "Personal identity characteristics" has the same meaning as defined in Section 53B-1-118.~~

~~—— (3) "Staff" or "staff member" means an employee, contractor, or volunteer with unsupervised access to students.]~~

(1) "Employee" means a school volunteer who is given significant unsupervised access to students; and

(a) the same as 63G-7-102(3)(i), (iii), (vi), (vii), and (x).

(2) "Promptly" means as soon as reasonably practicable under the circumstances.

(3) "Retaliation" means intimidation, threats, coercion, harassment, adverse employment actions, or other speech or conduct that would discourage a reasonable person from reporting or participating in an investigation.

(4) "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; or

(b) "sexual battery" as defined in Section 76-9-702.1. [or

~~—— (c) a staff member and student sharing any sexually explicit or lowd communication, image, or photograph.]~~

(5) "UPPAC" means the Utah Professional Practices Advisory Commission.

**R277-322-3. Incorporation by Reference Model Code of Conduct.**

(1) This rule incorporates by reference the model code of conduct dated April 2026.

(2) A copy of this document is located at

- 57        (a) <https://schools.utah.gov/administrativerules/documentsincorporated>; and  
58        (b) the offices of the Utah State Board of Education.

59  
60        **R277-322-4. Board Responsibilities.**

61            (1) The ~~[Superintendent]~~ Board ~~[shall create]~~ hereby creates a model code of  
62        conduct. ~~[or appropriate behavior policy]~~ .

63            (a) The Superintendent shall classify a report submitted under Subsection (10) as  
64        private in accordance with Subsections 63G-2-302(2)(a) and (d).

65            (2) The Board shall receive and monitor assurances regarding the code of  
66        conduct.

67  
68        **R277-322-5 LEA Responsibilities**

69            ~~[(2)]~~ (1) Each LEA shall adopt a code of conduct ~~[or appropriate behavior policy]~~  
70        applicable to all LEA employees ~~[to the LEA's staff]~~.

71            (a) An LEA's code of conduct ~~[or appropriate behavior policy]~~ adopted pursuant  
72        to 63G-7-301 ~~[Subsection (2)]~~, may not be less stringent than the model code of  
73        conduct ~~[or appropriate behavior policy]~~ [described] incorporated by reference in  
74        Subsection (3) ~~[and shall include, at a minimum:]~~;

75            (2) An LEA shall:

76            (a) review its code of conduct annually in a regular board meeting.

77            (b) establish a hotline as described in Section R277-123-7 for students, parents,  
78        and personnel to report violations of law and LEA policy, including the code of conduct.

79            (c) prominently post its code of conduct on its website; and

80            (d) update any changes to its code of conduct within 30 days.

81            (3) An LEA shall provide code of conduct training to its employees and require  
82        each employee to sign a statement acknowledging that the employee has read and  
83        understands the code of conduct;

84 (4) An LEA shall submit an annual assurance to the Board consistent with this  
85 rule and Section 53G-10-206 verifying that the LEA has complied with this rule.

86 (5) An LEA or school may not enter into an agreement which restricts or prohibits  
87 an employee from communicating or reporting any complaint or concern regarding the  
88 direct or indirect safety and welfare of students or any inappropriate conduct by the LEA  
89 or school to law enforcement, a local board, or the Board.

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

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

93 ~~—— (i) physical abuse;~~

94 ~~—— (ii) verbal abuse;~~

95 ~~—— (iii) sexual abuse; or~~

96 ~~—— (iv) mental abuse;~~

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

98 ~~—— (i) physical abuse;~~

99 ~~—— (ii) verbal abuse;~~

100 ~~—— (iii) sexual abuse;~~

101 ~~—— (iv) mental abuse; or~~

102 ~~—— (v) neglect;~~

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

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

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

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

~~———— (h) a statement that a staff member may not discriminate against a student on  
the basis of the student's personal identity characteristics;  
———— (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 shall:  
———— (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  
———— (4) An LEA shall post the LEA's code of conduct or appropriate behavior policy  
adopted pursuant to Subsection (2) on the LEA's website.  
———— (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 or appropriate behavior policy;  
and  
———— (b) known violations of the Utah Educator Standards contained in Rule R277-  
217.  
———— (6) A staff member shall annually sign a statement acknowledging that the staff  
member has read and understands the code of conduct or appropriate behavior policy.]~~

**R277-322-6 Employee Responsibilities**

(1) A school employee:  
(a) shall comply with all federal, state, and local laws;  
(b) shall annually sign a written acknowledgement of having read and understood  
the code of conduct;

\_\_\_\_\_ (c) shall receive training on the code of conduct;  
\_\_\_\_\_ (d) shall promptly report any known or reasonably suspected violation of the  
code of conduct to the appropriate school or LEA administrator in accordance with  
applicable reporting policies and procedures; and  
\_\_\_\_\_ (e) subject to constitutional rights against self-incrimination, the employee shall  
fully cooperate with criminal or civil law enforcement, and an LEA, school, UPPAC, or  
Board investigation

**R277-322-7 Retaliation and False Reports.**

\_\_\_\_\_ (1)(a) An LEA shall prohibit retaliation against an individual who, in good faith,  
reports a suspected violation of LEA code of conduct, LEA policy, or the law.

\_\_\_\_\_ (b) An employee who retaliates against an individual for reporting alleged  
misconduct under this code of conduct may be subject to:

- \_\_\_\_\_ (i) disciplinary action by the LEA, up to and including termination of employment;
- \_\_\_\_\_ (ii) referral to UPPAC if the individual is licensed by the Board; and
- \_\_\_\_\_ (iii) other remedies or penalties available under the law.

\_\_\_\_\_ (2) An employee may not knowingly make a false report alleging a violation of the  
LEA's code of conduct.

\_\_\_\_\_ (3) An employee who knowingly makes a false, malicious, or frivolous report may  
be subject to:

- \_\_\_\_\_ (a) disciplinary action by the LEA, up to and including termination of employment;
- \_\_\_\_\_ (b) referral to UPPAC if the individual is licensed by the Board; and
- \_\_\_\_\_ (c) other remedies or penalties available under the law.

\_\_\_\_\_ (4) Nothing in this section shall be construed to discourage or penalize good faith  
reports.

\_\_\_\_\_ (5) An LEA employee that retaliates or facilitates retaliation against an employee  
for reporting an alleged violation of this code of conduct or R277-210 or R277-217 may  
be subject to:

- (a) disciplinary action by the LEA, up to and including termination of employment;  
(b) corrective action or other sanctions in law and rule; or  
(c) UPPAC action, if a licensed educator.

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

**Date of Last Change: August 7, 2024**

**Notice of Continuation: June 7, 2024**

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