

USBE MODEL LEA CODE OF CONDUCT~~**/APPROPRIATE BEHAVIOR POLICY**~~

1. PURPOSE AND PHILOSOPHY

The [Governing Board of LEA] is committed to establishing and maintaining appropriate standards of conduct between ~~[staff members]~~ employees and students. These standards of conduct ~~[are]~~ also ~~[known as]~~ include professional boundaries. ~~[staff members]~~ During contract hours, assigned volunteer hours, or while supervising students, employees shall maintain professional and appropriate demeanor and relationships with students~~[-both during and outside of school hours, as well as both on and off campus,]~~ that foster an effective, non-disruptive and safe learning environment.

2. DEFINITIONS

- i) "Boundary violation" means crossing verbal, physical, emotional, or social lines that ~~[staff]~~ employees must maintain in order to ensure structure, security, and predictability in an educational environment.
- i) A "boundary violation" may include the following, depending on the circumstances:
 - (1) isolated, one-on-one interactions with a student out of the line of sight of others;
 - (2) meeting with a student in rooms with covered or blocked windows consistent with LEA school safety policies;
 - (3) telling risqué jokes to, or in the presence of a student;
 - (4) employing favoritism to a student;
 - (5) giving gifts to individual students;
 - (6) ~~[staff member]~~ employee initiated frontal hugging or other uninvited touching;
 - (7) photographing an individual student for a non-educational purpose or use;
 - (8) engaging in inappropriate or unprofessional contact outside of educational program activities;
 - (9) exchanging personal email or phone numbers with a student for a non-educational purpose or use;
 - (10) interacting privately with a student through social media, computer, or

[~~handheld~~] electronic devices; and
(11) discussing an employee's personal life or personal issues with a student.

ii) "Boundary violation" does not include:

- (1) offering praise, encouragement, or acknowledgment;
- (2) offering rewards available to all who achieve;
- (3) asking permission to touch for necessary purposes;
- (4) giving a pat on the back or a shoulder;
- (5) giving a side hug;
- (6) giving a handshake or high five;
- (7) offering warmth and kindness;
- (8) utilizing public social media alerts to groups of students and parents; or
- (9) contact permitted by an IEP or 504 plan.

ii) "Employee" means a school volunteer who is given significant unsupervised access to students; and the same as 63G-7-102(3)(i), (iii), (vi), (vii), and (x);

iii) "Grooming" means befriending and establishing an emotional connection with a child or a child's family to lower the child's inhibitions for emotional, physical, or sexual abuse.

iv) "Sexual conduct" includes any sexual contact or communication between [~~a~~
~~staff member~~] an employee and a student including but not limited to:

i) "Sexual abuse" means the criminal conduct described in Utah Code Ann. §76-5-

404.1(2) and includes, regardless of the gender of any participant:

- (1) touching the anus, buttocks, pubic area, or genitalia of a student;
- (2) touching the breast of a female student; or
- (3) otherwise taking indecent liberties with a student;
- (4) with the intent to:
 - (a) cause substantial emotional or bodily pain; or
 - (b) arouse or gratify the sexual desire of any individual.

ii) "Sexual battery" means the criminal conduct described in Utah Code Ann. §76-9-

702.1 and includes intentionally touching, whether or not through clothing, the anus, buttocks, or any part of the genitals of a student, or the breast of a female student, and the actor's conduct is under circumstances the actor knows or should know will likely cause affront or alarm to the student touched; or

iii) ~~[A staff member]~~ an employee and student sharing any sexually explicit or lewd communication, image, or photograph.

~~["Staff member" means an employee, contractor, or volunteer with unsupervised access to students.]~~

v) "Student" means a child under the age of 18 or over the age of 18 if still enrolled in a public secondary school; or a graduate of the school where an employee works within six months of the student's graduation or unenrollment from a public school.

3. POLICY

a) An employee shall obey all federal, state, and local laws.

b) An employee shall act in a way that acknowledges and reflects their inherent positions of authority and influence over students.

i) ~~[Staff members]~~ An employee shall recognize and maintain appropriate personal boundaries in teaching, supervising and interacting with students and shall avoid boundary violations including behavior that could reasonably be considered grooming or lead to ~~[even]~~ an appearance of impropriety.

ii) ~~[Staff members]~~ An employee may not subject a student to any form of abuse, including but not limited to:

- i) physical abuse;
- ii) verbal abuse; sexual abuse; or
- iii) mental abuse.

iii) ~~[Staff members]~~ An employee shall not touch a student in a way that makes a reasonably objective student feel uncomfortable.

- iv) ~~[Staff members]~~ An employee shall not engage in any sexual conduct toward or sexual relations with a student including but not limited to:
- i) viewing with a student, or allowing a student to view, pornography or any other lewd, sexually explicit or inappropriate images or content, whether video, audio, print, text, or other format;
 - ii) sexual battery; or
 - iii) sexual assault.
- v) ~~[Staff members]~~ An employee's communications with students, whether verbal or electronic, shall be professional and avoid boundary violations.
- vi) ~~[Staff members]~~ An employee shall not provide gifts, special favors, or preferential treatment to a student or group of students.
- vii) ~~[Staff members]~~ An employee shall not discriminate against a student on the basis of _ sex, religion, national origin, gender identity, sexual orientation, or any other prohibited class.
- viii) ~~[Staff members]~~ An employee's use of electronic devices and social media to communicate with students must comply with LEA policy, be professional, pertain to school activities or classes, and comply with the Family Educational Rights and Privacy Act.
- ix) ~~[Staff members]~~ An employee may not use or be under the influence of alcohol or illegal substances during work hours on school property or at school sponsored events while acting as ~~[a staff members]~~ an employee. Additionally, ~~[staff members]~~ an employee may not use any form of tobacco or electronic cigarettes on school property or at school sponsored activities while in an employment capacity.
- x) ~~[Staff members]~~ An employee shall cooperate in any investigation concerning allegations of actions, conduct, or communications that if proven, would violate this policy. An employee's cooperation is subject to constitutional protections against self-incrimination.

109 ~~xi) [LEA] recognizes that familial relationships between a staff member and a student may~~
110 ~~provide for exceptions to certain provisions of this policy.~~

111 xii) Conduct prohibited by this policy is considered a violation of this policy regardless of
112 whether the student may have consented.

113 4. REPORTING

114 i) ~~[A staff member]~~ An employee who has reason to believe there has been a violation of this
115 policy shall immediately report such conduct to an appropriate supervisor or school
116 administrator.

117 If ~~[a staff member]~~ an employee has reason to believe a school administrator has
118 violated this policy, the ~~[staff member]~~ employee shall immediately report the conduct
119 to the administrator's supervisor.

120 ii) In addition to the obligation to report suspected child abuse or neglect to law
121 enforcement or the Division of Child and Family Services under Utah Code Ann. §62A-
122 4a-403:

123 i) ~~[A staff member]~~ An employee who has reasonable cause to believe that a student
124 may have been physically or sexually abused by ~~[a staff member]~~ an employee shall
125 immediately report the belief and all other relevant information to the school
126 administrator, or to LEA administration;

127 ii) ~~[a school administrator]~~ An employee who has received a report or who otherwise
128 has reasonable cause to believe that a student may have been physically or
129 sexually abused by a school ~~[staff member]~~ employee shall immediately inform the
130 LEA Administration of the ~~[reported]~~ suspected abuse; and

131 iii) if the ~~[staff member]~~ employee suspected to have abused a student holds a
132 professional educator license issued by the Utah State Board of Education, the LEA
133 administration shall immediately report that information to the Utah Professional
134 Practices Advisory Commission (UPPAC);

135 iv) a person who makes a report under this subsection in good faith shall be immune

from civil or criminal liability that might otherwise arise by reason of that report.

iii) ~~[A staff member]~~ An employee who has knowledge of suspected incidents of bullying shall immediately notify the student's building administrator in compliance with LEA Bullying Policy.

iv) Failing to report suspected misconduct as required herein is a violation of this policy, the Utah Educator Standards, and in some instances, state law, and may result in employee ~~[disciplinary]~~ discipline, up to, and including, termination.

5. TRAINING

i) Within ~~[10]~~ 30 days of beginning employment with LEA ~~[a staff member]~~ an employee shall receive training regarding this policy and shall acknowledge in writing having received training and understanding the policy.

ii) ~~[staff members]~~ Employees employed by LEA at the time of initial adoption of this policy shall receive training regarding this policy prior to the first day of the 2026-2027 school year on which students will be in attendance and shall acknowledge in writing having received training and understanding the policy.

6. VIOLATIONS

a) The LEA recognizes that familial relationships between a staff member and a student may provide for exceptions to certain provisions of this policy.

b) ~~[A staff member]~~ An employee found in violation of this policy ~~[will be]~~ is subject to disciplinary action, up to, and including, termination.

REFERENCES

Title 62A, Chapter 4a, Part 4, *Child Abuse or Neglect Reporting Requirements*
Utah Code Section 53E-6-701, *Mandatory Reporting of Physical or Sexual Abuse of Students*
Utah Admin. Code R277-401, *Child Abuse-Neglect Reporting by Education Personnel*
Utah Admin. Code R277-515, *Utah Educator Professional Standards*

Utah Admin. Code R277-322, *LEA Codes of Conduct*
Utah Code Section 63G-7-301, *Waivers of Immunity*
Utah Code Section 76-5-401.1, *Sexual Abuse of a Minor*
Utah Code Section 76-9-702.1, *Sexual Battery*

[LEA] CODE OF CONDUCT
STAFF MEMBER ACKNOWLEDGEMENT

Name: _____ Position: _____

Date of Training: _____ Trained by: _____

I received training about the requirements of [LEA's] Code of Conduct Policy. I understand the requirements of the policy and that I am responsible to recognize and maintain appropriate personal boundaries while interacting with students. I also understand that if I have reason to believe a staff member is violating the Code of Conduct, I will report my suspicions to my supervisor, building administrator, or [LEA] administrator.

Signature of Staff Member

Date