

1 **R277. Education, Administration.**

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

3 **R277-322-1. Authority and Purpose.**

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; and

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

9 (2) The purpose of this rule is to require LEAs to create a code of conduct  
10 applicable to the LEA's staff.

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

12 (1) "Boundary violation" means the same as that term is defined in R277-515.

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

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

17 (a) "sexual abuse" as defined in Section 76-5-404.1;

18 (b) "sexual battery" as defined in Section 76-9-702.1; or

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

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

22 (1) The Superintendent shall create a model code of conduct policy.

23 (2) Each LEA shall adopt a code of conduct applicable to the LEA's staff.

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

27 (a) a statement that a staff member should avoid boundary violations, as defined

28     in Rule R277-515, with students;  
29         (b) a statement that a staff member may not subject a student to:  
30             (i) physical abuse;  
31             (ii) verbal abuse;  
32             (iii) sexual abuse; or  
33             (iv) mental abuse;  
34         (c) a statement that a staff member shall report any suspected incidents of:  
35             (i) physical abuse;  
36             (ii) verbal abuse;  
37             (iii) sexual abuse;  
38             (iv) mental abuse; or  
39             (v) neglect;  
40         (d) a statement that a staff member may not touch a student in a way that makes  
41     a reasonably objective student feel uncomfortable;  
42         (e) a statement that a staff member may not participate in sexual conduct with a  
43     student;  
44         (f) a statement regarding appropriate verbal or electronic communication  
45     between a staff member and a student;  
46         (g) a statement regarding providing gifts, special favors, or preferential treatment  
47     to a student or group of students;  
48         (h) a statement that a staff member shall not discriminate against a student on  
49     the basis of sex, race, religion, or any other prohibited class;  
50         (i) a statement regarding appropriate use of electronic devices and social media  
51     for communication between a staff member and a student;  
52         (j) a statement regarding use of alcohol, tobacco, and illegal substances during  
53     work hours and on school property;  
54         (k) a statement that a staff member is required to:  
55             (i) report any suspicion of child abuse or bullying to the proper authorities;  
56             (ii) annually read and sign all policies related to identifying, documenting, and

57 reporting child abuse; and  
58       (iii) for an employee or contractor, annually attend abuse prevention training  
59 required in Section 53G-9-207; and  
60       (3) An LEA shall post the LEA's code of conduct policy adopted pursuant to  
61 Subsection (2) on the LEA's website.  
62       (4) An LEA shall provide training to staff regarding the policy, including the staff  
63 member's responsibility to report and how to report:  
64       (a) known violations of the LEA's code of conduct; and  
65       (b) known violations of the Utah Educator Standards contained in R277-515.  
66       (5) A staff member shall sign a statement acknowledging that the staff member  
67 has read and understands the policy.

68 **KEY: codes of conduct**  
69 **Date of Enactment of Last Substantive Amendment: January 10, 2017**  
70 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4)**