DEFINITIONS

Boundary violation: A boundary violation means crossing verbal, physical, emotional, and social lines that an educator must maintain in order to ensure structure, security, and predictability in an educational environment. A boundary violation may include the following, depending on the circumstances:

- isolated, one-on-one interactions with students out of the line of sight of others;
- meeting with students in rooms with covered or blocked windows;
- telling risqué jokes to, or in the presence of a student;
- employing favoritism to a student;
- giving gifts to individual students;
- educator initiated frontal hugging or other uninvited touching;
- photographing individual students for a non-educational purpose or use;
- engaging in inappropriate or unprofessional contact outside of educational program activities;
- exchanging personal email or phone numbers with a student for a non-educational purpose or use;
- interacting privately with a student through social media, computer, or hand held devices; and
- discussing an educator’s personal life or personal issues with a student.

A boundary violation does not include:

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

Grooming: 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.

Sexual Conduct: For purposes of these procedures only, sexual conduct includes any sexual contact or communication between a staff member and a student, including but not limited to:

1. Sexual abuse, as defined by Utah Code Ann. §76-5-404.1(2), including, regardless of the gender of any participant:
   1. touching a student’s anus, buttocks, pubic area, breast, or genitalia; or
   2. taking indecent liberties with a student; and
      (a) cause substantial emotional or bodily pain; or
      (b) arouse or gratify the sexual desire of any individual.
2. Sexual battery, as defined by Utah Code Ann. §76-9-702.1, including intentionally touching, whether or not through clothing, the anus, buttocks, breast, or any part of the genitals of a 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
3. A staff member and student sharing any sexually explicit or lewd communication, image, or photograph.

Staff: For purposes of these procedures only, staff or staff member means an employee, contractor, or volunteer with unsupervised access to students.

Student: For purposes of these procedures only, student means a child under the age of 18 or over the age of 18 if still enrolled in a public secondary school.
PROCEDURES FOR IMPLEMENTATION

I. Professional Behavior
All district employees must comply with various standards governing their ethical and professional behavior. Employees acknowledge that they serve the public, and that the public has placed its trust in them. This responsibility requires employees to maintain standards of exemplary professional conduct in a manner characterized by trust, morality, and ethical principles. Because a district employee's actions will be viewed and appraised by the community, professional associates, and students, all employees must subscribe to the standards outlined below.

II. Professional and Ethical Code of Conduct
A. All employees:
1. will comply with the Utah Public Officers' and Employees' Ethics Act, including provisions related to:
   a. potential conflicts caused by outside employment;
   b. accepting gifts or compensation;
   c. participating in transactions involving a business in which the employee has an interest;
   d. filing the required conflict of interest disclosure if the employee has a relationship with or interest in an outside business entity.
2. will make the well-being of students the fundamental value of all decision making and actions;
3. will fulfill professional responsibilities with honesty and integrity;
4. will be a role model of civic and social responsibility;
5. will maintain a positive and safe learning and working environment;
6. will support the principle of due process and protect the civil and human rights of all individuals;
7. will obey local, state and national laws and not knowingly join or support organizations that advocate, directly or indirectly the overthrow of the government; and
8. will comply with the board's policies and district's administrative procedures.
B. Educator standards:
   Educators will also comply with the Utah Educator Standards, including, but not limited to, the following:
1. pursuing appropriate measures to correct those laws, policies and regulations that are not consistent with sound educational goals;
2. not using their position within the district for either special privileges or exemptions for themselves or others, including relatives;
3. accepting academic degrees or professional certification only from duly accredited institutions;
4. maintaining the educator standards and seeking to improve the effectiveness of the profession through research and continuing professional development;
5. honoring all contracts until fulfillment or release; and
6. avoiding initiating any form of private communication with a student not related to work responsibilities.
C. Administrator standards:
   1. District administrators shall demonstrate the traits, skills, and work functions designated in Utah’s Educational Leadership Standards.

III. Staff Code of Conduct - Applicable to Employees, Contractors, and Volunteers with Significant Unsupervised Access to Students
A. All staff members shall act in a way that acknowledges and reflects their inherent positions of authority and influence over students.
B. Staff members shall recognize and maintain appropriate personal boundaries in teaching, supervising and interacting with students. Staff members must avoid boundary violations with students, including behavior that could reasonably be considered grooming or lead to even an appearance of impropriety. This probation specifically includes the following:
   1. A staff member may not engage in any sexual conduct with a student.
   2. A staff member may not share any sexually explicit or lewd communication, image, or photograph with a student.

For licensed educators, a boundary violation will result in disciplinary action at the district level and may result in action being taken against your professional license.

C. A staff member may not subject a student to:
   1. physical abuse;
   2. verbal abuse;
   3. sexual abuse; and/or
   4. mental abuse.
D. A staff member may not touch a student in a way that makes a reasonably objective student feel uncomfortable.
E. A staff member may not provide gifts, special favors, or preferential treatment to a student or group of students.
F. A staff member must report any suspected incidents of physical abuse, verbal abuse, sexual abuse, mental abuse, or neglect. This obligation is in addition to the mandatory child abuse reporting requirements imposed on all district employees.
G. A staff member shall not discriminate against a student on the basis of sex, race, religion, or any other protected class. See Board Policy G-19: Discrimination, Harassment, and Retaliation Prohibited, and its accompanying administrative procedures for additional information.
H. No staff may use alcohol, tobacco, or any illegal substances during work hours or on school property. See Board Policy G-22: Tobacco and Drug Free District, and its accompanying administrative procedures for additional information.
I. A staff member is required to report any suspicion of child abuse or neglect to the appropriate child welfare agency and/or law enforcement agency. If a staff member believes that the abuse has been caused by another staff member, a report must also be made to the school principal or superintendent. See Board Policy S-8: Mandatory Child Abuse Reporting and Training, and its accompanying administrative procedures for additional information.
J. A staff member is required to report any suspicion of bullying to the appropriate school administrator or the district’s department of human resources services. See Board Policy G-20: Bullying, Cyber-bullying, Hazing, and Abusive Conduct Prohibited, and its accompanying administrative procedures for additional information.
K. A staff member must use appropriate and professional language when communicating with students, including verbal, written, and electronic communications. Examples of inappropriate and unprofessional language include but are not limited to: profanity; risqué, crude, off-color jokes; intimidating, harassing, threatening, disparaging, or demeaning comments; and/or racially or ethnically charged comments or slurs. See board policies G-19 and G-20, and their accompanying administrative procedures for additional information.
L. Staff must ensure that any electronic communications with students, including through social media sites, is for the purpose of teaching and learning, and/or is directly related to a school activity or school-sponsored event. Licensed educators must ensure that they maintain separate professional and personal virtual profiles, and that they do not engage in or encourage personal on-line connections with students.

IV. Violations
Any district employee who violates this established code of conduct will be subject to disciplinary action up to and including termination.
A. Staff must report all suspected violations of any of the above codes of conduct to the appropriate school administrator, the appropriate district network director, or the department of human resource services.
1. Failing to report suspected misconduct as required in these procedures is a violation of not only these administrative procedures and the Utah Educator Standards, it may also be a violation of state law, and may result in disciplinary action.

V. Training
A. The district will annually train all licensed educators on the Utah Educator Standards described in Utah Administrative Code, Rules R277-515 and R277-516.
B. Within ten days of beginning employment with the district, a staff member shall receive training regarding these procedures and accompanying board policy, and shall acknowledge in writing having received and understood such training.
C. Staff must annually read and sign all policies related to identifying, documenting and reporting child abuse.
D. Employees and contractors must annually attend abuse prevention training required by Utah Code Ann. §53G-9-207.