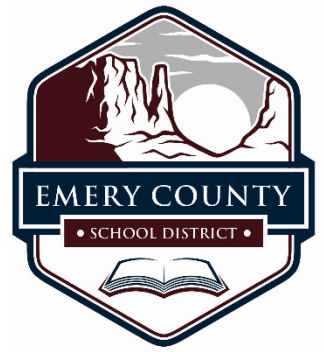


Emery County School District



Policy: GBEB—Staff Code of Conduct

Date Adopted: 14 August 2019
Current Review / Revision: **First Reading October 8**

This policy is adopted in conformance with Utah Administrative Rule R277-322, which requires local educational entities to adopt a code of conduct applicable to staff.

Definitions—

1. Abuse
 - a. “Physical abuse” means abuse that results in physical injury or damage.
 - b. “Sexual abuse” has the same meaning as defined in Utah Code § 80-1-102(79).
 - c. “Verbal abuse” means repeatedly communicating in an objectively demeaning or disparaging manner which creates a hostile, intimidating, abusive, offensive, or oppressive learning environment.
 - d. “Mental abuse” means a pattern of sustained and repetitive acts or inappropriate statements that cause fear, lower self-esteem, or manipulate the person to control behavior. Examples of actions or statements that could be part of such a pattern include intimidation, threatening harm, destruction of property, insults or putdowns, arbitrary and unpredictable inconsistency, and denial that prior abusive incidents occurred. (Appropriate statements or actions taken in imposing discipline for misconduct do not constitute mental abuse.)
[Utah Code § 80-1-102\(63\), \(79\) \(2023\)](#)
[Utah Admin. Rules R277-217-3\(3\) \(January 10, 2024\)](#)
2. “Boundary violation.” A boundary violation occurs when a staff member crosses verbal, physical, emotional, or social lines that must be maintained to ensure structure, security, and predictability in an educational environment. Depending on the circumstances, the following may constitute a boundary violation:
 - a. Isolated, one-on-one interactions with students out of the line of sight of others;
 - b. Meeting with a student or students in rooms with covered or blocked windows;
 - c. Telling risqué jokes or using profanity in the presence of a student;
 - d. Employing favoritism to a student;
 - e. Inappropriate gift giving to an individual student;
 - f. Uninvited or inappropriate touching;
 - g. Photographing an individual student for a non-educational purpose or use;
 - h. Engaging in inappropriate or unprofessional conduct outside of educational program activities;
 - i. Exchanging personal email or phone numbers with a student for a non-educational purpose or use;
 - j. Interacting privately with a student through social media, computer, or handheld devices; and
 - k. Discussing with a student inappropriate details about the staff member’s personal life or personal issues or a student’s personal life or personal issues.
 - l. Contacting students through social media avenues for non-educational purposes.

It is NOT a boundary violation to:

- a. Offer praise, encouragement, or acknowledgement;

- b. Offer rewards available to all who achieve;
- c. Ask permission to touch for necessary purposes;
- d. Give a pat on the back or a shoulder;
- e. Give a side hug;
- f. Give a handshake or “high five”;
- g. Offer warmth and kindness;
- h. Use public social media alerts to groups of students and parents; or
- i. Engage in contact permitted by an IEP or 504 plan.

[Utah Admin. Rules R277-210-2\(6\) \(January 10, 2024\)](#)

It is not a boundary violation when a student acts or speaks in inappropriately familiar ways with a staff member without having been prompted to do so by the staff member, but such incidents must be promptly documented and reported to the staff member’s supervisor or the building principal and the student should be given guidance on proper student-staff relationships as directed by the supervisor or principal.

- 3. “Bullying” means the same as that is defined by Policy JICK.
- 4. “Cyber-bullying” means the same as that is defined by Policy JICK.
- 5. “Neglect” has the same meaning as defined in Utah Code § 80-1-102(58).
 - a. The term “parent” means the natural or adoptive or step or foster parent of a child or legal guardian who acts in the place of a parent.

[Utah Code § 80-1-102\(58\) \(2023\)](#)

- 6. “Staff” means an employee or any contractor or volunteer with unsupervised access to students.

[Utah Admin. Rules R277-322-2\(2\) \(August 19, 2019\)](#)

Professional Conduct—

District staff are expected to comply with all District policies and to adhere to all requirements of the law. District staff are further expected to act professionally. This includes communicating in a civil manner and not promoting personal opinions, issues, or political positions as part of the instructional process in a manner inconsistent with law. It further includes integrity and honesty in relationships with others and conducting any financial business and accounting for funds honestly and with integrity. District staff are expected to comply with appropriate dress and grooming standards as established by District policy, supervisor directives, and generally accepted professional standards. District employees are required to report arrests and convictions as provided for in Policy DACA.

[Utah Admin. Rules R277-217-2, -3, -4, and -5 \(January 10, 2024\)](#)

District staff are prohibited from being under the influence of, using, possessing, or distributing any alcoholic beverage, tobacco product (including electronic cigarettes), or controlled substance at school or at a school-related activity where the staff member is functioning as such, as outlined in Policy GBEC. District staff are prohibited from providing alcohol or unauthorized drugs to students or from allowing students under the supervision or control of the staff member to use alcohol or unauthorized drugs. District staff are further expected to support District efforts to reduce inappropriate drug use and alcohol or tobacco use among students, including by reporting student actions as provided by Policy JICH.

[Utah Admin. Rules R277-217-2\(10\) to \(12\) \(January 10, 2024\)](#)

District staff are prohibited from knowingly viewing, accessing, or possessing pornographic or indecent material in any form (print, electronic, or otherwise) while on school premises or at a school-related activity or by using District devices, internet access, or other resources. District staff may not knowingly use, view, create, distribute, or store pornographic or indecent material involving children at any time. District staff may not expose students to sensitive material as defined by Utah Code § 53G-10-103 and as determined by the District.

[Utah Admin. Rules R277-495-4\(1\)\(c\) \(December 11, 2023\)](#)

[Utah Admin. Rules R277-217-2\(16\) to \(19\) \(January 10, 2024\)](#)

[Utah Code § 76-10-1235 \(2007\)](#)

Professional and Ethical Relationships with Students—

District staff are to comport themselves in a way that contributes to maintaining and fostering a positive, effective, non-disruptive and safe learning environment for students. This includes maintaining professional and appropriate demeanor and relationships with students, both during and outside of school hours and on and off campus and through in-person and electronic interactions (through devices or social media). This also includes respecting appropriate intrapersonal boundaries in interacting with students and avoiding behavior that could reasonably lead to the appearance of impropriety. An educator may not invite, suggest, or encourage a student to reconsider or change the student's sexual orientation or gender identity. An educators may not use his or her position, through instruction, materials, or symbols, to actively endorse, promote, or disparage a particular partisan, religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint in a manner inconsistent with District policy.

Staff are prohibited from engaging in the following conduct towards students:

1. Abuse (physical, sexual, verbal, or mental, as defined above);
2. Bullying, cyberbullying, harassment (including sexual harassment), or hazing;
3. Discrimination or harassment based on race, ethnicity, sex, gender identification, sexual orientation, religion (or lack of religious affiliation or belief), political viewpoint, or disability;
4. Boundary violations;
5. Sharing any sexually explicit or lewd communication, image, or photograph;
6. Allowing students in their homes for a school-related social activity without prior written permission of the principal;
7. Dating or any type of romantic or sexual relationship or conduct;
8. Requests for sexual activity or sexually suggestive comments; or
9. Touching a student in a way that makes a reasonably objective student feel uncomfortable.

[Utah Admin. Rules R277-217-2\(4\) to \(7\), \(22\) to \(25\) \(January 10, 2024\)](#)

[Utah Admin. Rules R277-217-3\(2\), \(3\) \(January 10, 2024\)](#)

[Utah Admin. Rules R277-322-2\(3\) \(August 19, 2019\)](#)

[Utah Admin. Rules R277-322-3\(3\)\(a\) to \(j\) \(August 19, 2019\)](#)

[Utah Code § 63G-7-301\(3\)\(a\)\(i\), \(b\) \(2023\)](#)

The foregoing prohibitions apply to staff interaction with any student presently enrolled in the District and to staff interaction with any student who was enrolled in the District within the time period two (2) years before the conduct in question.

Flaskamp v. Dearborn Public Schools, 385 F.3d 935, 944 (6th Cir. 2004).

The District recognizes that in circumstances where a staff member and a student have a relationship which is independent of and does not arise out of the school context, interactions which would be a boundary violation in the absence of that independent relationship may not constitute a boundary violation. (Examples of such independent relationships include where the staff member and student are family members or otherwise closely related or where the staff member and student are both affiliated with a non-school organization and the interaction relates to or arises out of that relationship.) The other prohibitions listed above apply regardless of the existence of an independent, non-school relationship.

Violation of any of the prohibitions of this policy is grounds for employee disciplinary action up to and including termination of employment and for action up to and including termination of the District's relationship with a contractor or volunteer.

Reporting of Child Abuse—

Whenever any employee of the District knows or reasonably believes that a child has been neglected, or physically or sexually abused, such employee shall immediately notify the nearest peace officer, law enforcement agency or office of the State Division of Child and Family Services (DCFS). Under such circumstances, the employee shall **also** notify the building principal. Such a report to the principal does not satisfy the employee's personal duty to report to law enforcement or DCFS. It is not the responsibility of school employees to prove that the child has been abused or neglected or determine whether the child is in need of protection. Investigations are the responsibility of the Division of Child and Family Services. Investigation by education personnel prior to submitting a report should not go beyond that necessary to support a reasonable belief that a reportable problem exists.

School officials shall cooperate appropriately with DCFS and law enforcement agency employees authorized to investigate charges of child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective, diagnostic, assessment, treatment, and coordination services, including:

1. allowing appropriate access to students;
2. allowing authorized agency employees to interview children consistent with DCFS and local law enforcement protocols;
3. making no contact with parents/legal guardians of children being questioned by DCFS or local law enforcement; and
4. cooperating with ongoing investigations and maintaining appropriate confidentiality.

The employee shall maintain the confidentiality of and not disclose any information learned in connection with an investigation except with those persons with whom the employee is required to cooperate, including the Division, law enforcement, the State Board of Education, or supervisory District officials. Persons making reports or participating in an investigation of alleged child abuse or neglect in good faith are immune from any civil or criminal liability that otherwise might arise from such actions, as provided by law.

The anonymity of those reporting or investigating child abuse or neglect will be preserved and information provided pursuant only to the manner provided for in [Utah Code § 80-2-1005](#).

[Utah Admin. Rules R277-217-3\(5\), \(6\) \(January 10, 2024\)](#)

[Utah Admin. Rules R277-401-3 \(September 21, 2017\)](#)

[Utah Code § 80-2-602 \(2022\)](#)

[Utah Code § 80-2-1005 \(2025\)](#)

Reporting of Child Abuse by a School Employee—

An employee who has reasonable cause to believe that a student may have been physically or sexually abused by a school employee shall immediately report that belief to **both** the school principal **and** the Superintendent. A District administrator, including the Superintendent, who has received such a report or who otherwise has reasonable cause to believe that a student may have been physically or sexually abused by an educator shall immediately report that information to the State Board of Education and to the Utah Professional Practices Advisory Commission.

[Utah Admin. Rules R277-217-3\(5\) \(January 10, 2024\)](#)

[Utah Code § 53E-6-701 \(2022\)](#)

Training—

Each staff member must, at least every year, view and pass the Safe Schools video regarding Sexual Harassment: Student Issues & Response.

[Utah Admin. Rules R277-322-3\(3\)\(k\)\(ii\) \(August 19, 2019\)](#)

Each staff member must, at the time of initial employment and at least every year thereafter, be trained on the requirements of this code of conduct Policy GBEB and must at the time of each training sign a statement acknowledging that the staff member has read and understands this code of conduct.

[Utah Code § 63G-7-301\(3\)\(b\) \(2023\)](#)

[Utah Admin. Rules R277-322-3\(5\) \(August 19, 2019\)](#)

Each staff member who is either an employee or a contractor must, once every three years, attend sexual abuse and human trafficking prevention training as provided for under Policy GBAA.

[Utah Admin. Rules R277-322-3\(3\)\(k\)\(iii\) \(August 19, 2019\)](#)

[Utah Code § 53G-9-207\(3\) \(2024\)](#)

Each staff member who holds a Utah educator or administrative license shall become and remain familiar with the professional standards set forth in Utah Administrative Rule R277-217.

Public Notice of Code of Conduct—

This policy shall be posted on the District's web site.

[Utah Admin. Rules R277-322-3\(3\) \(August 19, 2019\)](#)

Reporting of Student Prohibited Acts

Reporting of Student Prohibited Acts—

School employees shall immediately report to the school principal, ~~or~~ District superintendent, or designee any reasonable belief that a violation of Policy FF has occurred, wherein any student participating in student government and/or extracurricular activities, if occurring while the student is in the classroom, on school property, or during school-sponsored activities, regardless of location or circumstances:

1. Uses foul, abusive, or profane language while engaged in school-related activities;
2. Illicitly uses, possesses, or distributes a controlled substance, drug paraphernalia, a tobacco product, an electronic cigarette product, or an alcoholic beverage; or
3. Hazes, demeans, or engages in assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under state law.

Principals who receive a report of a violation of Policy FF shall submit a report of the alleged incident, and actions taken in response, to the District superintendent or the superintendent's designee within ten working days after receipt of the report.

Failure of a person holding a professional certificate to report these prohibited acts as required under this policy constitutes an unprofessional practice.

[Utah Code § 53G-8-209 \(2025\)](#)

Duty to Report Student Use or Possession of Illegal Drugs or Alcohol—

A school employee with reasonable cause to believe that a student has used or possessed alcohol or illegal drugs, counterfeit substances, or any associated paraphernalia at a school District location shall immediately report that fact to the school's designated Administrator.

[Utah Code § 53G-8-501 \(2018\)](#)

[Utah Code § 53G-8-502 \(2018\)](#)

Utah Code § 58-37-8 (2025)

School District Location Defined—

“School district location” means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

Notice to Parent or Legal Guardian—

Upon receiving a report from a school employee of student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location, the designated Administrator shall immediately report the information to the student’s parent or legal guardian. If the violation involves illegal drugs or counterfeit substances or drug paraphernalia, the Administrator may also report the information to law enforcement agencies or officials if that is permitted under Utah Code § 53G-8-211. The identity of the school Administrator who reported the prohibited act shall not be disclosed to the student or the parent or legal guardian.

Utah Code § 53G-8-502 (2018)

Immunity for Good Faith Reporting—

A school employee who in good faith reports student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location in accordance with these provisions is immune from any civil or criminal liability resulting from that action.

Utah Code § 53G-8-504 (2018)

Child Sexual Abuse and Human Trafficking Prevention Education

School Personnel Education Regarding Child Sexual Abuse and Human Trafficking—

The District shall provide, once every three years, training to all school personnel on responding to a disclosure of child sexual abuse in a supportive, appropriate manner and on the mandatory reporting requirements of Utah Code § 53E-6-701 (regarding abuse by school personnel) and Utah Code § 80-2-602 (regarding reporting of child abuse). The training shall also address human trafficking and identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation. “School personnel” to receive training include all school employees, whether licensed, part-time, contract, or non-licensed.

Utah Code § 53G-9-207(3)(a)(i) (2025)

Utah Admin. Rules R277-605-6(3) (July 22, 2022)

Training Materials—

The training required under this policy shall use the instructional materials approved by the State Board of Education (either those created by the State Board of Education or created by the District and approved by the State Board of Education).

Utah Code § 53G-9-207(3)(b) (2025)

Evidence of Compliance—

The District must provide evidence of compliance with these training and instructional materials requirements upon request of the State Board of Education.

Utah Code § 53G-9-207(7) (2025)

Previous Revisions - 14 August 2019
15 January 2025
6 August 2025