

## 6112 Employee Code of Conduct Policy

### 1. Purpose and Philosophy

- a. Maeser is committed to establishing and maintaining appropriate standards of conduct between staff members and students. These standards of conduct are also known as professional boundaries. Staff members 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 fosters an effective, non-disruptive and safe learning environment.

### 2. Definitions

- a. "Boundary violation" means crossing verbal, physical, emotional, or social lines that staff must maintain in order to ensure structure, security, and predictability in an educational environment.
  - i. A "boundary violation" may include, but is not limited to, 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;
    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 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 devices;
    11. discussing an employee's personal life or personal issues with a student; or
    12. activities that are considered endorsement or indoctrination of students related to gender identity ideologies.
  - ii. "Boundary violation" does not include:
    1. offering praise or encouragement, unless related to the social transition of a student;
    2. acknowledgment of student achievement;
    3. offering rewards available to all who achieve;
    4. asking permission to touch for necessary purposes;
    5. giving a pat on the back or a shoulder;
    6. giving a side hug;
    7. giving a handshake or high five;
    8. offering warmth and kindness;

9. utilizing public social media alerts to groups of students and parents; or
  10. contact permitted by an IEP or 504 plan.
- b. “Grooming” means befriending and/or establishing an emotional connection with a child or a child's family for the purpose of lowering the child's inhibitions, and increasing the child's vulnerability to emotional, physical, or sexual abuse.
  - c. “Sexual conduct” includes any sexual contact or communication between a staff member 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 and student sharing any sexually explicit or lewd communication, image, or photograph.
  - d. “Staff member” means an employee, contractor, or volunteer with unsupervised access to students.
  - e. “Student” means a child under the age of 18 or over the age of 18 if still enrolled in a public secondary school.
3. Maeser faculty and employees shall:
    - a. comply with all federal, state, and local laws;
    - b. maintain a professional educator/student relationship, including by:
      - i. treating a student with dignity and respect by promoting the health, safety and well being of students; and
      - ii. maintaining appropriate verbal, emotional and social boundaries; and
      - iii. acting in a way that acknowledges and reflects inherent positions of authority and influence over students.
    - c. take prompt and appropriate action to stop, mitigate, and prevent harassment or discriminatory conduct toward a student or school employee that the educator knew or should have known may result in a hostile, intimidating, abusive, offensive, or oppressive environment;
    - d. take prompt and appropriate action to protect a student from any known condition detrimental to the student's physical health, mental health, safety, or learning;
    - e. report suspected child abuse or neglect to law enforcement or the Division of Child and Family Services in accordance with Sections [53E-6-701](#) and [80-2-602](#);

- f. cooperate in providing all relevant information and evidence to the proper authority in the course of an investigation by a law enforcement agency or by the Division of Child and Family Services regarding potential criminal activity, except that an educator may decline to give evidence against himself or herself in an investigation if the evidence may tend to incriminate the educator as that term is defined by the Fifth Amendment of the U.S. Constitution;
  - g. take appropriate steps to notify a student's parents and refer a student to appropriate prevention services if a student threatens suicide or self harm as required by Subsections [53E-9-203](#)(7) and [53G-9-604](#)(2);
  - h. provide truthful, accurate, and complete information in:
    - i. licensing, transfer, and employment applications or other documentation;
    - ii. evaluations of the educator, other educators, or students;
    - iii. proceedings related to educator licensure, employment, or related benefits;
    - iv. student IEP plans and related special education documentation;
  - i. be forthcoming with truthful, accurate, and complete information to an appropriate authority regarding known educator misconduct that could adversely impact performance of a professional responsibility, by another educator;
  - j. notify Maeser Administration at the time of application for licensure of:
    - i. current investigations involving professional misconduct in another jurisdiction;
    - ii. prior licensing disciplinary action in another jurisdiction; and
    - iii. past criminal convictions;
  - k. report an arrest, citation, charge or conviction to Maeser Administration in accordance with Section R277-217-4;
  - l. conduct financial business with integrity by honestly accounting for all funds committed to the educator's charge, as school responsibilities require, consistent with Maeser policy;
  - m. follow Maeser's fiscal policy for collecting money in connection with a school activity, accounting for all money collected, and not commingling Maeser funds with personal funds as described in Rule R277-113;
  - n. demonstrate honesty and integrity by strictly adhering to all state and Maeser instructions and protocols in managing and administering a standardized test to a student consistent with Section [53E-4-312](#) and Rule R277-404; and
  - o. use supplemental materials consistent with Maeser policy as required by current school policy.
4. An educator shall not:
- a. be convicted of a felony;
  - b. be convicted of a misdemeanor offense that:
    - i. adversely affects the educator's ability to perform an assigned duty and carry out the educator's responsibilities; or
    - ii. adversely affects the well being of students;
  - c. be convicted of, or engage in conduct of a sexual nature described in Subsection [53E-6-603](#)(2);

- d. participate in sexual, physical, or emotional harassment towards any colleague or public school-age student;
- e. subject a student to any form of abuse including but not limited to:
  - i. physical abuse;
  - ii. verbal abuse;
  - iii. sexual abuse; or
  - iv. mental abuse
- f. engage in:
  - i. a single egregious instance or pattern of inappropriate contact in any communication, including written, verbal, or electronic, with a minor, student, colleague, or member of the community; or
  - ii. a single egregious instance or pattern of boundary violations with a student including but not limited to:
    - 1. touching a student in a way that makes a reasonably objective student feel uncomfortable;
    - 2. viewing with a student, or allowing a student to view, pornography or any other sexually explicit or inappropriate images or content, whether video, audio, print, text, or other format;
    - 3. sexual battery; or
    - 4. sexual assault.
- g. solicit, encourage, or consummate an inappropriate relationship, whether written, verbal, or physical, with a student or minor;
- h. accept an inappropriate gift from, or give an inappropriate gift to, a student;
- i. be convicted of or commit a criminal offense involving a child, including physical abuse, cruelty, or exploitation of child;
- j. use corporal punishment, excessive physical force, or inappropriate physical restraint, except as provided in Section [53G-8-302](#);
- k. provide alcohol or unauthorized drugs to a student or allow a student under the educator's supervision or control to consume or obtain alcohol or unauthorized drugs;
- l. attend school or a school-related activity in an assigned employment-related capacity while possessing, using, or under the influence of alcohol or an illegal drug;
- m. attend school or a school-related activity in an assigned employment-related capacity after intentionally exceeding the prescribed dosage of a prescription medication that may impair the educator;
- n. possess or distribute an illegal drug or be convicted of any crime related to an illegal drug, including a prescription drug not specifically prescribed to the educator;
- o. be convicted of an alcohol-related offense;
- p. use or attempt to use a Maeser computer or information system to access information that may be detrimental to young people or inconsistent with the educator's role model responsibility;
- q. knowingly possess, while at school or any school-related activity, any pornographic or indecent material in any form;

- r. use school equipment to intentionally view, create, distribute, or store pornographic or indecent material in any form;
- s. knowingly use, view, create, distribute, or store pornographic or indecent material involving children;
- t. expose students to sensitive materials:
  - i. as defined in Section [53G-10-103](#); and
  - ii. as determined by Maeser.
- u. violate state laws regarding the possession of a firearm while on school property or at a school-sponsored activity;
- v. knowingly allow a student to violate a Maeser policy or law concerning possession or access to a weapon;
- w. interfere with or discourage a student's or colleague's legitimate exercise of constitutional, legal, or civil rights, acting consistent with the law and Maeser's policy;
- x. discriminate against, harass, exclude a student from participating in any program, deny or grant any benefit to a student, or encourage a student to develop a prejudice on the basis of:
  - i. race;
  - ii. color;
  - iii. creed;
  - iv. sex;
  - v. national origin;
  - vi. marital status;
  - vii. political or religious belief;
  - viii. physical or mental condition;
  - ix. family, social, or cultural background;
  - x. sexual orientation; or
  - xi. gender identification;
- y. invite, suggest, or encourage a student to reconsider or change the student's sexual orientation or gender identity;
- z. use the educator's 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 the policy of Maeser;
- aa. knowingly or intentionally permit unauthorized collection, sharing, or use of student data;
- bb. knowingly violate student confidentiality unless revealing confidential information to an authorized person serves the best interest of the student and serves a lawful purpose;
- cc. violate:
  - i. [Title 67, Chapter 16](#), Utah Public Officers' and Employees' Ethics Act;
  - ii. [Title 53E, Chapter 9](#), Student Privacy and Data Protection;
  - iii. Rule R277-107, Educational Services Outside of an Educator's Regular Employment;

- iv. Section R277-120-5, Classroom Materials Developed by Utah Educators; or
  - v. Sections [53G-10-401](#) through [53G-10-403](#), Rule R277-474, or other Utah law regarding sex education; or
- dd. cheat or engage in academic dishonesty, whether on behalf of a student, or in the educator's own educational pursuits.
- 5. Staff Member Reporting
  - a. A staff member who has reason to believe there has been a violation of this policy shall immediately report such conduct to an appropriate supervisor or school administrator. If a staff member has reason to believe a school administrator has violated this policy, the staff member shall immediately report the conduct to the administrator's supervisor.
  - b. In addition to the obligation to report suspected child abuse or neglect to law enforcement or the Division of Child and Family Services under Utah Code Ann. § 62A-4a-403:
    - i. a staff member who has reasonable cause to believe that a student may have been physically or sexually abused by a school staff member shall immediately report the belief and all other relevant information to the school administrator, or to Maeser Administration
    - ii. a school administrator who has received a report or who otherwise has reasonable cause to believe that a student may have been physically or sexually abused by a school staff member shall immediately inform the Maeser Board of the reported abuse; and
    - iii. if the staff member suspected to have abused a student holds a professional educator license issued by the Utah State Board of Education, the Maeser Administration shall immediately report that information to the Utah Professional Practices Advisory Commission;
    - 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.
  - c. A staff member who has knowledge of suspected incidents of bullying shall immediately notify Maeser Administration in compliance with Maeser's Discipline Policy.
  - d. 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 disciplinary action.
- 6. Training
  - a. Within 10 days of beginning employment with Maeser a staff member shall receive training regarding this policy and shall acknowledge in writing having received training and understanding the policy.
- 7. Violations
  - a. A staff member found in violation of this policy will be subject to disciplinary action that may include:
    - i. Administrative leave pending investigation with or without pay
    - ii. Report to UPPAC

iii. Dismissal with cause.

8. Investigation

- a. Administration will appoint the Title IX Coordinator or other independent, unbiased investigator who will investigate the complaint.
- b. Investigations may include, but are not limited to, interviews, meetings, written statements.
- c. If allegations have also been reported to the local law enforcement agency, the investigator will make every attempt to gather information from the agency to aid in Maeser's investigation.
- d. If, during the course of an investigation, Maeser determines it is necessary to investigate allegations about the complainant that are not included in the formal complaint, Maeser will provide notice of the additional allegations.
- e. At the conclusion of the investigation, the investigator shall provide an investigative report that fairly summarizes relevant evidence, including:
  - i. identification of the allegations potentially constituting abuse, ethical misconduct or professional behavioral violation
  - ii. a description of the procedural steps taken from the receipt of the formal complaint through the determination
  - iii. findings of facts supporting the determination
  - iv. conclusions regarding the application of the School's policies to the facts
  - v. a statement of, and rationale for, the results as to each allegation

9. Determination

- a. Maeser Administration in consultation with Maeser Board of Directors shall review the investigative report and determine if:
  - i. No action is needed and employee may return to work
  - ii. Action is necessary and may include, but is not limited to:
    1. Dismissal, or
    2. Return to work plan with contingencies including:
      - a. Additional training and coaching
      - b. Assigned mentor
      - c. Behavioral plan and monitoring
      - d. Reduced assignment
- b. Upon determination of Code of Conduct violations, Maeser Administration shall:
  - i. Meet with the complainant to discuss findings.
  - ii. Allow opportunity for employee/ to discuss findings and determinations and present any additional information that relates to complaint and determination.
  - iii. Present determination and actions to employee/.

10. Maeser Reporting of Misconduct to Utah Professional Practices Advisory Commission (UPPAC)

- a. Maeser shall notify UPPAC if an educator is determined pursuant to a judicial or administrative proceeding, or internal Maeser investigation, to have violated the educator standards described in Sections R277-217-2 and R277-217-3.



- b. Maeser Administration or designees shall notify UPPAC and the educator of any allegation from a parent that an educator's conduct violated Sections R277-217-2 and R277-217-3 within 30 days of receiving the allegation.
- c. The Executive Secretary shall record an allegation received under Subsection (2)(a), but shall defer further investigation pending Maeser's determination of possible Maeser discipline.
- d. The Executive Secretary shall classify allegations received under Subsection (1) or Subsection (2)(a) as private under Subsection [63G-2-302\(2\)\(d\)](#).
- e. For each allegation referred to UPPAC under Subsections (1) and (2)(a), Maeser shall notify UPPAC of:
  - i. the findings of Maeser internal investigation or administrative proceedings;
  - ii. criminal charges filed by a prosecuting agency;
  - iii. Maeser's internal disciplinary action or decision not to take action, and the evidence supporting the decision; and
  - iv. any evidence that may be relevant if UPPAC chooses to investigate the matter.
- f. The Executive Secretary shall provide a form for Maeser to make a notification required under Subsections (1) and (2).
- g. Upon submitting a notification under Subsection (1) or (2), Maeser may make a recommendation to the Executive Secretary concerning whether an investigation by UPPAC would be appropriate under the circumstances, taking into account any employment action taken by Maeser, but Maeser's recommendation is not binding on UPPAC, which shall make its own independent determination consistent with Section R277-211-3.

## REFERENCES

Utah Code Ann. § 62A, Chapter 4a, Part 4, *Child Abuse or Neglect Reporting Requirements*  
Utah Code Ann. § 53E-6-701, *Mandatory Reporting of Physical or Sexual Abuse of Students*  
Utah Admin. Code r. 277-401 (2019), *Child Abuse-Neglect Reporting by Education Personnel*  
Utah Admin. Code r. 277-515 (2019), *Utah Educator Professional Standards*  
Utah Admin. Code r. 277-322 (2019), *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*  
*Utah Admin Code r. 277-217 Educator Standards*  
*Utah Code Section 67-16-12 Penalties for Violation—Removal from office or dismissal from employment*  
*Executive Order 14190 Ending Radical Indoctrination in K-12 Schooling*

Approved 06.26.2025



Maeser CODE OF CONDUCT  
STAFF MEMBER ACKNOWLEDGEMENT

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date of Training: \_\_\_\_\_

Trained by: \_\_\_\_\_

*I received training about the requirements of Maeser'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 Maeser Administration or LEA Administrator.*

*Signature of Maeser Faculty/Staff Member*

\_\_\_\_\_  
*Date*