Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

District Policy 1730

Code of Conduct/Appropriate Behavior Policy

Washington County School District - Approved 9-10-2019; Revised 11-14-23; Revised 11-11-25

1. PURPOSE

The Washington County School District 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 foster an effective, non-disruptive and safe learning environment.

2. POLICY

2.1. Staff members shall act in a way that acknowledges and reflects their inherent positions of authority and influence over students.

2.1.1. Staff members 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.

2.1.2. Pursuant to Policies 1710 and 2115, a staff member may not subject a student to any form of abuse including but not limited to:

- physical abuse;
- verbal abuse;
- sexual abuse; or
- mental abuse.

2.1.3. A staff member shall not touch a student in a way that makes a reasonably objective student feel uncomfortable.

2.1.4. A staff member shall not engage in any sexual conduct toward or sexual relations with a student including but not limited to:

- 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;
- sexual battery; or
- sexual assault.

2.1.5. Staff member communications with students, whether verbal or electronic, shall be professional and avoid boundary violations.

2.1.6. A staff member shall not provide gifts, special favors, or preferential treatment to a student or group of students.

2.1.7. Pursuant to Policy 2115, a staff member shall not discriminate against a student on the basis of sex, religion, national origin, gender identity, sexual orientation, or any other prohibited class.

2.1.8. Staff member use of electronic devices and social media to communicate with students must comply with District Policy 1450-3.1.26, be professional, pertain to school activities or classes, and comply with the Family Educational Rights and Privacy Act.

2.1.9. Pursuant to Policies 1400 and 1401, a staff member 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 member. Additionally, a staff member may not use any form of tobacco or electronic cigarettes on school property or at school sponsored activities in an employment capacity.

2.1.10. Pursuant to Policy 1450-3.1.26, a staff member shall cooperate in any investigation concerning allegations of actions, conduct, or communications that if proven, would violate this policy.

2.2. The Washington County School District recognizes that familial relationships between a staff member and a student may provide for exceptions to certain provisions of this policy.

2.3. Pursuant to U.C.A §53G-10-202, district facilities, classrooms, buses, and other district property are not public forums for the display or distribution of political, religious, or personal viewpoints, and employees may not use them for the posting or display of materials to promote or convey a political, religious, or personal message.

2.4. Personal Space may be used to keep personal items so long as those items do not become a distraction to the learning environment.

2.5. Conduct prohibited by this policy is considered a violation of this policy regardless of whether the student may have consented under their legal capability to grant consent.

3. PROCEDURE

3.1. DEFINITIONS

3.1.1. “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. A "boundary violation" may include the following, depending on the circumstances:

- isolated, one-on-one interactions with a student out of the line of sight of others;
- meeting with a student 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;
- staff member initiated frontal hugging or other uninvited touching;
- photographing an individual student 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 handheld devices; and
- discussing an employee’s personal life or personal issues with a student.

"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.

3.1.2. “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.

3.1.3. “Sexual conduct” includes any sexual contact or communication between a staff member and a student including but not limited to:

3.1.4. “Sexual abuse” means the criminal conduct described in Utah Code §76-5- 404.1(2) and includes, regardless of the gender of any participant:

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

3.1.5. “Sexual battery” means the criminal conduct described in Utah Code §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 a staff member and student sharing any sexually explicit or lewd communication, image, or photograph.

3.1.6. “Staff member” means an employee, contractor, or volunteer with unsupervised access to students.

3.1.7. “Student” means a person enrolled in a public school.

3.1.8. “Personal Space” means:

- on the top of a staff member’s desk, or
- inside a desk, cabinet, drawer, cupboard or box, or
- on a staff-assigned computer or device, or
- when applicable, in a staff member’s office.

3.2. REPORTING

3.2.1. 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.

3.2.2. 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:

3.2.2.1. 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/principal, or to

Director of Student Services

Washington County School District

121 W Tabernacle St.

St. George, UT 84770

(435) 673-3553 Ext: 5164

Email: ocr_coordinator@washk12.org

3.2.2.2. 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 Director of Student Services and the Director of Human Recourses of the reported abuse; and

3.2.2.3. if the staff member suspected to have abused a student holds a professional educator license issued by the Utah State Board of Education, the Director of Student Services shall immediately report that information to the Utah Professional Practices Advisory Commission;

3.2.2.4. 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.

3.2.3. A staff member who has knowledge of suspected incidents of bullying shall immediately notify the student's building administrator in compliance with District Policy 3510.

3.2.4. 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.

3.2.5. In compliance with R277-123, individuals may report violations of law, board rule, or district policy to the public education hotline as outlined in N005.

3.3. TRAINING

3.3.1. Within 10 days of beginning employment with the Washington County School District a staff member shall receive training regarding this policy and shall acknowledge in writing having received training and understanding the policy.

3.3.2. Staff members employed by the Washington County School District at the time of initial adoption of this policy shall receive training regarding this policy prior to the first day of the 2019-2020 school year on which students will be in attendance and shall acknowledge in writing having received training and understanding the policy.

3.4. VIOLATIONS

A staff member found in violation of this policy will be subject to disciplinary action.

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 R277-217, 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