Staff Code of Conduct

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(81). 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 Admin. Rules R277-217-3(3) (November 21, 2025)* 2. “Boundary violation.” A boundary violation occurs when a staff member crosses verbal,

physical, emotional, or social lines with a student or minor 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.

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) (November 21, 2025)

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 FHA and Policy FGAD. 4. “Consensual sexual activity” means sexually explicit conduct involving an individual or

consenting adults. *Utah Admin. Rules R277-210-2(11) (November 21, 2025)* 5. “Cyber-bullying” means the same as that is defined by Policy FHA and Policy FGAD. 6. “Minor” means an individual under the age of 18 or an individual who an educator

reasonably believes is under the age of 18 under the circumstances of the interaction. *Utah Admin. Rules R277-210-2(36) (November 21, 2025)* 7. “Neglect” has the same meaning as defined in Utah Code § 80-1-102(59). 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(59) (2027)* 8. “Staff” means an employee or any contractor or volunteer with unsupervised access to

students. Utah Admin. Rules R277-322-2(3) (August 7, 2024)

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 (November 21, 2025)

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 DAG. 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 DDB.

Utah Admin. Rules R277-217-2(12) to (14) (November 21, 2025)

District staff may not engage in consensual sexual activity on school grounds, during contract hours, or while responsible for actively supervising students. 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, including equipment provided to the District through an education service provider. 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. (This restriction does not apply when District staff access pornographic or indecent material for the limited purpose of investigating a violation of this restriction or to enforce this restriction.) District staff

may not expose a student to materials that are inappropriate given the age and maturity of the student.

Utah Admin. Rules R277-495-4(1)(c) (October 8, 2025) Utah Admin. Rules R277-217-2(5), (18) to (22) (November 21, 2025) Utah Code § 76-5c-208 (2026)

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 educator may not use his or her position, through language, instruction, materials, or symbols, to actively endorse, promote, or disparage another individual's race; color; religious belief; sex; national origin; marital status; political belief or creed; physical or mental condition; family, social, or cultural background; sexual orientation; or gender identification.

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, color, ethnicity, national origin, sex, gender

identity, 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), (7) to (9), (25) to (28) (November 21, 2025) Utah Admin. Rules R277-217-3(2), (3) (November 21, 2025) Utah Admin. Rules R277-322-2(2), (4) (August 7, 2024) Utah Admin. Rules R277-322-3(3)(a) to (j) (August 7, 2024) Utah Code § 53H-1-504(1), (2) (2025) Utah Code § 63G-7-301(3)(a)(i), (b) (2025)

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. In addition, District staff may not knowingly engage in sexually explicit conduct with a former student within six months of the student graduating or officially exiting from high school where the staff member works.

Flaskamp v. Dearborn Public Schools, 385 F.3d 935, 944 (6th Cir. 2004). Utah Code § 76-5-422 (2025) Utah Admin. Rules R277-210-2(44), (50) (November 21, 2025) Utah Admin. Rules R277-217-2(6) (November 21, 2025)

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 Requirements—

Staff members are required to promptly report any suspected incidents of abuse (physical, verbal, sexual, or mental) or neglect, including suspected incidents of child abuse as provided in Policy DDA. Staff members are also required to report incidents of student prohibited acts under Policy DDB, which includes hazing and demeaning or assaultive behavior). Staff members shall also report incidents of bullying, cyberbullying, and harassment.

Utah Admin. Rules R277-322-3(3)(c), (k)(i) (August 7, 2024)

Staff members are also required to report any instance of violation of this Code of Conduct policy, including but not limited to instances of sexual harassment as provided by Policy DKB and Policy FHAB. If a staff member becomes aware that a student has initiated any interaction with a staff member which would be improper or inappropriately familiar, the staff member must promptly document and report that incident.

Utah Admin. Rules R277-322-3(5)(a) (August 7, 2024)

Staff members should report any instances where the staff member knows or has reason to believe that a staff member holding a Utah educator or administrative license has violated the Utah Educator Standards.

Utah Admin. Rules R277-322-3(5)(b) (August 7, 2024)

Reporting Procedures—

Reports required under this Code of Conduct shall be made as follows: Reports regarding child abuse or neglect shall be made according to Policy DDA. Reports regarding sexual harassment shall be made according to Policy DKB and FGAD. Reports of student prohibited conduct shall be made according to Policy DDB. Other reports required by this Code of Conduct shall be made to the staff member's immediate supervisor or the building principal. However, if the person who would receive the report is the person whose conduct is in question, the report will be made instead to that person's supervisor.

Utah Admin. Rules R277-322-3(3)(k)(i), (5) (August 7, 2024)

Training—

Each staff member must, at least every year, read and sign Policy DDA (regarding reporting of suspected child abuse) and any other policies relating to identifying or documenting child abuse.

Utah Admin. Rules R277-322-3(3)(k)(ii) (August 7, 2024)

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 DAI 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) (2025) Utah Admin. Rules R277-322-3(6) (August 7, 2024)

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 DDAA.

Utah Admin. Rules R277-322-3(3)(k)(iii) (August 7, 2024) Utah Code § 53G-9-207(3) (2026)

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. Each staff member who holds a Utah educator or administrative license must, each year, read and acknowledge reading Policy GDB, Parent Information Portal.

Utah Code § 53G-6-806(4) (2026)

DAI Appendix A - Millard Local Form: Staff Code of Conduct Acknowledgment

Name: _____ Position: _____

Date of Training: _____ Trained by: _____

I received training about the requirements of the Millard School District Staff Code of Conduct. I understand 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 this policy, I will report my concern to my supervisor, building administrator, or District administrator.

Signature: _____ Date: _____

Source: MSD Policy 4310, approved 2021.

Public Notice of Code of Conduct—

This policy shall be posted on the District's web site. *Utah Admin. Rules R277-322-3(4) (August 7, 2024)*