

Staff Code of Conduct Policy

Adopted: July 26, 2022

Revised:

1. PURPOSE AND PHILOSOPHY

The Board of Directors of Career Academy of Utah (the "School") is committed to establishing and maintaining appropriate standards of conduct between staff members and students. The "School" is a virtual school and reference to "School" is defined by an entity not locale. The outlined standards of conduct are known as professional boundaries. Staff members shall maintain a professional and appropriate demeanor and relationships with students, both during and outside of school hours, that foster 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 to ensure structure, security, and predictability in an educational environment.

i. A "boundary violation" may include 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; and
11. discussing an employee's personal life or personal issues with a student.

ii. "Boundary violation" does not include:

1. offering praise, encouragement, or acknowledgment;
2. offering rewards available to all who achieve;
3. asking permission to touch for necessary purposes;

4. giving a pat on the back or a shoulder;
5. giving a side hug;

6. giving a handshake or high five;
7. offering warmth and kindness;
8. utilizing public social media alerts to groups of students and parents; or
9. contact permitted by an IEP or 504 plan.

b. "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.

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:

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 through clothing, the anus, buttocks, or any part of the genitals of a student, or the breast of a female student, and the staff member's conduct is under circumstances the staff member 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 18 if still enrolled in a public secondary school.

3. **POLICY**

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

- a. 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 be considered grooming or lead to even an appearance of impropriety.
- b. A staff member may not 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.
- c. A staff member shall not touch a student to make a reasonably objective student feel uncomfortable.
- d. A staff member shall not engage in any sexual conduct toward or sexual relations with a student including but not limited to:
 - i. 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;
 - ii. sexual battery; or
 - iii. sexual assault.
- e. Staff member communications with students, whether verbal or electronic, shall be professional and avoid boundary violations.
- f. A staff member shall not provide gifts, special favors, or preferential treatment to a student or group of students.
- g. A staff member shall not discriminate against a student based on sex, religion, national origin, gender identity, sexual orientation, or any other prohibited class.
- h. Staff members' use of electronic devices and social media to communicate with students must comply with School policy, be professional, pertain to school activities or classes, and comply with the Family Educational Rights and Privacy Act.
- i. 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.
- j. A staff member shall cooperate in any investigation concerning allegations of actions, conduct, or communications that, if proven, would violate this policy.

k. The School recognizes that familial relationships between a staff member and a student may provide exceptions to certain policy provisions.

l. Conduct prohibited by this policy is considered a violation of this policy regardless of whether the student may have consented.

4. **REPORTING**

a. A staff member who believes 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 that the Director has violated this policy, the staff member shall immediately report the conduct to the president of the Board of Directors.

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 and the School's Child Abuse and Neglect Reporting Policy:

i. a staff member who has reasonable cause to believe that a school staff member may have physically or sexually abused a student should immediately report the belief and all other relevant information to the Director; and

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

iii. 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.

d. A staff member who knows of suspected incidents of bullying shall immediately notify the School's administrator in compliance with the School's Bullying and Hazing Policy.

e. 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.

5. **TRAINING**

a. Within ten days of beginning employment with the School a staff member shall receive training regarding this policy and acknowledge having received training and understanding the policy.

- b. The School will annually provide training to staff regarding this policy.
- c. Staff members will annually sign a statement acknowledging that the staff member has received training and has read and understands this policy.

Staff members employed by the School at the time of initial adoption of this policy shall receive training regarding this policy before the first day of the 2022-2023 school year.

6. Intellectual Property Rights

Career Academy of Utah (CAU) staff shall not modify, adapt, alter, or translate K12 instructional material. CAU staff shall only use the K12 Proprietary Material for educational purposes. CAU staff shall not disassemble, modify, alter, create, derivative works from, or reverse engineer the K12 Proprietary Material without prior written consent of K12. CAU staff have the right to create original or derivative works solely for the benefit of the School and solely in connection with, or the incorporation into any K12 Proprietary Materials. CAU staff shall endure to the [copyrights standards](#) outlined in federal statute.

7. VIOLATIONS

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

CAREER ACADEMY OF UTAH CODE OF CONDUCT STAFF MEMBER ACKNOWLEDGEMENT

Name:
Position:
Date of Training:
Trained By:

I received training about the requirements of the Career Academy of Utah Code of Conduct Policy. I have read and I understand the requirements of the policy and 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 the Code of Conduct, I will report my suspicions to the School's Director.

Signature of Staff Member

Date