

UTAH COUNTY ACADEMY OF SCIENCES POLICIES AND PROCEDURES

SECTION: G - Personnel
POLICY TITLE: Staff Ethics and Code of Conduct
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1. PURPOSE AND PHILOSOPHY

To function effectively, an effective educational program requires the services of individuals of integrity and high ideals who have with an understanding of human nature.

2. STAFF ETHICS

- 2.1. The term "staff" is defined as any employee of the Utah County Academy of Sciences (UCAS). While those who work for UCAS as private contractors are not bound by this policy, UCAS will not contract with persons or organizations who do not maintain a comparable ethics policy.
- 2.2. To maintain and promote these essential elements, all employees of the Utah County Academy of Sciences (UCAS) shall:
 - 2.2.1. Treat students, parents, fellow employees, and community members with dignity and respect, demonstrating fairness and sensitivity for ethnic, religious, and cultural heritage.
 - 2.2.2. Promote a safe, nurturing, and positive school and work environment.
 - 2.2.3. Establish and maintain open and positive communication with patrons and fellow employees.
 - 2.2.4. Maintain confidentiality concerning students, families, and other employees and avoid spreading rumors.
 - 2.2.5. Address problems, concerns, and grievances in an appropriate manner, beginning with the person closest to the problem.
 - 2.2.6. Demonstrate knowledge of and act in accordance with school policies and procedures, as well as legal contractual standards, responsibilities, and obligations.

- 2.2.7. Demonstrate a commitment to learning and professional growth.
 - 2.2.8. Dress professionally (see Utah County Academy of Sciences (UCAS) dress code policy JB).
 - 2.2.9. Model and promote appropriate language.
 - 2.2.10. Use facilities and equipment in a manner that protects school resources and property.
 - 2.2.11. Follow accepted accounting practices and school policy in a manner that protects assets and financial resources.
 - 2.2.12. Comply with the Utah Ethics Act and refrain from using one's position for personal gain.
 - 2.2.13. Comply with the conditions outlined in the "Employee Computer Use Agreement" for the use of computers and the internet.
- 2.3. Employees of the Utah County Academy of Sciences assume the responsibility for representing the School in a manner characterized by trust, morality, and ethical principles.

3. CODE OF CONDUCT

- 3.1. All UCAS employees are subject to the provisions outlined in Utah Admin Code R277-217.
- 3.2. The term "boundary violations" is defined in Utah Admin Code R277-210.
- 3.3. "Sexual conduct" includes any sexual contact or communication between a staff member and a student including, but not limited to, "sexual abuse" as defined in Utah Code Ann. §76-5-404.1 or "sexual battery" as defined in Utah Code Ann. §76-5-418. It also includes the act of a staff member and student sharing any sexually explicit or lewd communication, image, or photograph.
- 3.4. Staff members shall act in a way that acknowledges and reflects their proper positions of authority and influence over students.
- 3.5. 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 that may result in the appearance of impropriety.
- 3.6. Furthermore, staff members may not subject a student to:
 - 3.6.1. Physical abuse
 - 3.6.2. Verbal abuse
 - 3.6.3. Sexual abuse
 - 3.6.4. Mental abuse
- 3.7. A staff member may not touch a student in a way that makes a reasonably objective student feel uncomfortable.
- 3.8. A staff member shall not engage in any sexual conduct toward or sexual relations with a

student, including, but not limited to:

- 3.8.1.** 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;
- 3.8.2.** Sexual battery; or
- 3.8.3.** Sexual assault
- 3.9.** Staff member communications with students, whether verbal or electronic, shall be professional and avoid boundary violations.
- 3.10.** A staff member shall not provide gifts, special favors, or preferential treatment to a student or group of students.
- 3.11.** A staff member shall not discriminate against or harass a student on the basis of race, color, creed, sex, national origin, marital status, political or religious belief, physical or mental condition, family background, social background, cultural background, sexual orientation, or gender identity.
- 3.12.** A staff member may not communicate with current students through social media unless prior authorization has been given by the school principal.
- 3.13.** A staff member's use of electronic devices and social media to communicate with students must comply with UCAS policy, be professional, pertain to school activities or classes, and comply with the Family Educational Rights and Privacy Act.
- 3.14.** 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.
- 3.15.** A staff member shall cooperate in any investigation concerning allegations of actions, conduct, or communications that, if proven, would violate this policy.
- 3.16.** UCAS recognizes that familial relationships between a staff member and a student may provide for exceptions to certain provisions of this policy.
- 3.17.** Conduct prohibited by this policy is considered a violation of this policy regardless of whether the student may have consented.

4. REPORTING

- 4.1.** 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.
- 4.2.** Educators are subject to child abuse and neglect reporting requirements as defined in UCAS Policy EF. In addition,
 - 4.2.1.** 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.
 - 4.2.2.** any 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 principal of the reported abuse.

- 4.2.3.** if the staff member suspected to have abused a student holds a professional educator license issued by the Utah State Board of Education, the administrator shall immediately report that information to the Utah Professional Practices Advisory Commission.
- 4.2.4.** 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.
- 4.3.** Staff members are subject to reporting requirements for bullying and harassment as defined in UCAS Policies CD and JM.
- 4.4.** 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.

5. UTAH STATE BOARD OF EDUCATION (USB E) HOTLINE

- 5.1.** The USB E has established a hotline to provide an avenue for citizens to report improper governmental activities as outlined in Utah Admin Code R277-113-6(2).
- 5.2.** Incidents should be submitted through the USB E Hotline found on the UCAS website (<https://www.ucas-edu.net/board-of-trustees>). Reporters should also submit any evidence that supports the incident. Essential information includes specifics on “who, what, where, when” as well as any other details that may be important, such as information on other witnesses, documents, and pertinent evidence. Due to limited resources, the USB E is unable to accept complaints that are not supported by evidence or provide a means for us to investigate the problem further. Refer to <https://www.ucas-edu.net/board-of-trustees> for submission methods, which may include online, telephone, or text messages.

6. PROCESSING OF HOTLINE INCIDENTS

- 6.1.** After receipt of the incident by UCAS, administration will review the allegation and any evidence provided by the reporter. All reported complaints will be investigated within 45 days of receiving the complaint.
- 6.2.** The list below represents some of the factors that are considered during the screening and prioritization process:
 - 6.2.1.** Does the incident involve actions by a person subject to USB E authority?
 - 6.2.2.** Does the incident pertain to improper governmental activities?
 - 6.2.3.** Disagreements with administration decisions or actions taken by UCAS Board of Trustees members that are within the law are not investigated.
 - 6.2.4.** Has the reporter taken appropriate steps to resolve the issue with UCAS administration?
 - 6.2.5.** If UCAS administration is not responsive or the concern relates to school leadership, the complaint will receive a higher priority.
 - 6.2.6.** What is the timing and frequency of alleged improper activity?
 - 6.2.7.** Allegations of improper activities that are recent or ongoing may receive a higher priority.

- 6.2.8. Should the allegation be investigated by another entity?
- 6.2.9. Are there other agencies that have oversight of the complaint?
- 6.2.10. Is a member of the UCAS Board of Trustees or an audit committee member being accused?
- 6.2.11. Can the incident be efficiently and effectively investigated?
- 6.2.12. Does the complainant desire anonymity?
- 6.2.13. Overly broad or vague complaints or complaints where evidence is unavailable may be declined or receive a low priority.
- 6.3. The UCAS Investigator decides the appropriate next action. If an employee is the subject of the incident, they may not be included in this process. Possible next actions include:
 - 6.3.1. discontinue the investigation,
 - 6.3.2. continue the investigation,
 - 6.3.3. refer the investigation to another agency, and
 - 6.3.4. conclude the investigation and take appropriate action.
- 6.4. All information and notes relevant to the investigation will be kept in a confidential location. This location may vary depending on the parties involved and the nature of the investigation.
- 6.5. In all instances, student and employee privacy will be maintained to the furthest extent possible.
- 6.6. As outlined in Utah Admin Code R277-123-7(9), the results of all hotline complaints will be reported to USBE using the UCAS Hotline Response Form (Policy GA – Form A).

7. WHISTLEBLOWER PROTECTION

- 7.1. Utah Code § 67-21-3 prohibits public employers (such as UCAS) from taking retaliatory action against their employees for reporting government waste or violations of law in good faith to the appropriate authorities.
- 7.2. A UCAS employee is presumed to have communicated in good faith if the employee has given written notice or otherwise formally communicated the conduct to USBE, the Superintendent, or a government official with authority to audit UCAS.
- 7.3. The presumption of good faith communication may be rebutted by showing that the employee knew or reasonably ought to have known that the report is malicious, false, or frivolous.

8. TRAINING

Within 10 days of beginning their employment with UCAS, a staff member must receive training regarding this policy and shall acknowledge in writing having received training and understanding the policy.

9. VIOLATIONS

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

REFERENCES

UTAH CODE ANN. § 53E-6-7, et seq.
UTAH CODE ANN. § 62A-4A-4, et seq.
UTAH CODE ANN. § 53E-6-701
UTAH CODE ANN. § 63G-7-301
UTAH CODE ANN. § 76-5-401.1
UTAH CODE ANN. § 76-9-702.1
UTAH CODE ANN. § 67-21-3
UTAH ADMIN CODE R277-201
UTAH ADMIN CODE R277-401
UTAH ADMIN CODE R277-515
UTAH ADMIN CODE R277-217, et seq.
UTAH ADMIN CODE R277-322, et seq.
UTAH ADMIN CODE R277-113-6(2)
UTAH ADMIN CODE R277-123, et seq.

FORMS

None

HISTORY

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Revised – October 10, 2018.

Approved – January 20, 2015.
