



# NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

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**SECTION:** G – Personnel  
**POLICY TITLE:** Professional Boundaries  
**FILE NO.:** GBEF  
**DATED:** October 9, 2024

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### 1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education of Nebo School District is committed to establishing and maintaining appropriate boundaries between employees and students. Adherence to professional boundaries protects students and serves several other purposes, including the fostering of mutual respect, the recognition of educational authority, and the enhancement of learning.
- 1.2. This policy is intended to protect students and employees by educating and directing them on appropriate professional boundaries. Consistent with [UTAH CODE ANN. § 63G-7-301\(3\)](#) and [UTAH ADMIN. CODE R277-322](#), it also serves as a code of conduct establishing a professional standard of care for preventing sexual conduct between an employee and a student and the sharing between an employee and student of any sexually explicit or lewd communication, image, or photograph. Accordingly, the Board hereby adopts this policy to establish and define the professional boundaries by which Employees must abide.

### 2. DEFINITIONS

- 2.1. “**Boundary Violation**” is defined in [UTAH ADMIN. CODE R277-210](#) and means crossing verbal, physical, emotional, or social lines that staff must maintain in order to ensure structure, security, and predictability in an educational environment. Boundary violations are further defined in UTAH ADMIN. CODE R277-210-2 and in Sections 3 and 4 below.
- 2.2. “**Employee**” means any adult, who is not also a K-12 student, employed by Nebo School District.
- 2.3. “**Good and sufficient cause**” has the same definition as set forth in the applicable Employee Handbook.
- 2.4. “**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. Grooming is more fully defined in Section 3.
- 2.5. “**Sexual conduct**” includes any sexual contact or communication between an employee and a student including but not limited to sexual abuse and sexual battery.
  - 2.5.1. “Sexual abuse” means the criminal conduct described in [UTAH CODE ANN. § 76-5-404.1](#).

- 2.5.2. “Sexual battery” means the criminal conduct described in [UTAH CODE ANN. § 76-9-702.1](#).
- 2.5.3. Sexual conduct includes the sharing between a staff member and student of any sexually explicit or lewd communication, image, or photograph.
- 2.6. “Student” means a child under eighteen (18) years of age or any K-12 student enrolled in school, in or out of Nebo School District.

### 3. BOUNDARY VIOLATIONS

- 3.1. While certain close interactions may occasionally be necessary for educational, health, safety, emergency, or other legitimate reasons, employees shall avoid boundary violations. All boundary violations will be assessed upon examination of the totality of the circumstances.
- 3.2. Grooming occurs when an adult targets a child and invades the child’s personal boundaries by engaging in increasingly invasive boundary violations, blurring the line between appropriate and inappropriate contact, ultimately leading to emotional, physical, or sexual abuse of the child. Such boundary violations may include physical contact that seems harmless or verbal comments designed to flatter and ingratiate the child. The conduct becomes increasingly invasive so that over time physical contact and inappropriate remarks begin to seem normal. The perpetrator thus progressively breaks down the child’s normal personal boundaries to more easily engage in sexual conduct or other abuse. Because even seemingly innocent invasions into a child’s personal space may lead to grooming, all boundary violations are suspect regardless of their intent, and inappropriate boundary violations will not be tolerated in an employee’s conduct with children.
- 3.3. The following activities set forth in this Section 3 constitute boundary violations and are prohibited unless: (a) they occur for educational, health, safety, emergency, or other legitimate reason; (b) they occur between an employee and student who are relatives (defined as parents, children, grandparents, grandchildren, siblings, cousins, aunts, uncles, nieces, and nephews) or legal guardians; or (c) they occur outside of the school setting in conjunction with a relationship previously established through a church group, community organization, or other activity unrelated to the District, and they occur in the context of that relationship.
- 3.4. Boundary violations may constitute good and sufficient cause as determined by the employee’s supervisors, thus subjecting the offending employee to disciplinary action, up to and including employment termination.
- 3.5. **Communication**
- 3.5.1. Exchanging personal email or phone numbers with a student for a noneducational purpose or use;
- 3.5.2. Private communication with a student via an employee’s personal phone, email, blog, or social media, including texting, audio/video calling or messaging, chatting, and the friending of a student. Electronic communications between employees and students should be conducted only for school-related purposes and in accordance with [Nebo School District Policy CH, Websites and Social Media](#).
- 3.5.3. Talking to a student about the employee’s personal problems or other problems that would normally be discussed among adults (e.g., marital difficulties).
- 3.5.4. Initiating or unreasonably continuing to talk to a student about any of the following topics without: (a) obtaining appropriate parental consent; or (b) having an appropriate and legitimate educational, health, safety, emergency, or other reason:
- 3.5.4.1. Political affiliations;

- 3.5.4.2. Political philosophies or beliefs of the Student or Student’s family, except in accordance with [UTAH CODE ANN. § 53G-10-202](#) and other applicable federal or state laws, rules, or regulations;
  - 3.5.4.3. Mental or psychological problems of the student or student’s family;
  - 3.5.4.4. Sex behavior or attitudes;
  - 3.5.4.5. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - 3.5.4.6. Criminal appraisals of others with whom the student has a close family relationship;
  - 3.5.4.7. Legally recognized privileged relationships, such as with attorneys, doctors, or ministers;
  - 3.5.4.8. Religious practices, affiliations, or beliefs of the student or parents; or
  - 3.5.4.9. Income, other than as required by law to determine program eligibility.
- 3.5.5. Discussions between an employee and student on any of the topics listed in subsection 3.5.3 without appropriate parental consent or having a legitimate reason constitutes an inappropriate boundary invasion in violation of this policy, and may also be in violation of both state and federal law.

**3.6. Travel**

- 3.6.1. Transporting a student in a personal vehicle without permission from parents and/or supervisors, unless such transportation is necessary in the event of a health or safety emergency, or other legitimate extenuating circumstance.
- 3.6.2. Allowing a student to drive an employee’s personal vehicle.
- 3.6.3. Inviting a student to travel, or going somewhere alone or away from protective adults.
- 3.6.4. Going to a student’s home.
- 3.6.5. Inviting a student to the employee’s home.

**3.7. Personal Interactions**

- 3.7.1. Taking an undue interest in a student (i.e., creating a “special friendship” or “special relationship”).
- 3.7.2. Giving gifts or money to a student.
- 3.7.3. Engaging in “peer-like” behavior with students.
- 3.7.4. Inviting a student to come to the classroom at non-class times.
- 3.7.5. Giving a student special privileges, favors, or preferential treatment.
- 3.7.6. Getting a student out of class to visit the employee.
- 3.7.7. Keeping secrets with a student.
- 3.7.8. Allowing a student to get away with inappropriate behavior.
- 3.7.9. Initiating or extending contact with a student beyond the school day.
- 3.7.10. Spending time alone with a student in any area where the view or access is obstructed.

- 3.7.11. Invading a student's privacy.
- 3.7.12. Physical contact that makes a reasonably objective student feel uncomfortable.
- 3.7.13. Isolated, one-on-one interactions with a student out of the line of sight of others.
- 3.7.14. Meeting with a student in a room with covered or blocked windows.

#### **4. STRICTLY PROHIBITED BOUNDARY VIOLATIONS**

- 4.1. An employee may not subject a student to any of the following:
  - 4.1.1. Physical abuse;
  - 4.1.2. Verbal abuse;
  - 4.1.3. Sexual abuse; or
  - 4.1.4. Mental abuse.
- 4.2. The following boundary invasions are strictly prohibited and constitute good and sufficient cause subjecting the offending employee to disciplinary action, up to and including employment termination:
  - 4.2.1. Drinking alcohol or taking illicit drugs during work hours, on school property, or in the presence of students; providing alcohol or drugs to students; requesting or allowing students to provide the employee with alcohol or drugs; or permitting students to drink alcohol or take drugs in any context, on or off school grounds.
  - 4.2.2. Requesting or encouraging a student to model, or taking or distributing photographs of individual students, or promoting a student on a web page or through other means, where such activities contain sexual innuendo or are undertaken without the parent's consent.
  - 4.2.3. Hot-tubbing or playing inappropriate party games with students.
  - 4.2.4. Providing, paying for, attending, or covering up medical appointments or procedures for a student, such as tests for pregnancy or sexually transmitted diseases, labor and delivery, or abortion.
  - 4.2.5. 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, including sensitive materials as defined in [UTAH CODE ANN. § 53G-10-103](#) and [Nebo School District Policy II, \*Sensitive Instructional Materials\*](#).
  - 4.2.6. Telling sexual jokes or stories in the presence of students.
  - 4.2.7. Talking about sexual topics outside a classroom setting and approved curriculum.
  - 4.2.8. Inviting, suggesting, or encouraging a student to reconsider or change the student's sexual orientation or gender identity.
  - 4.2.9. Giving students information, verbally or otherwise, that may be illegal, false, inaccurate, threatening, harmful, hateful, abusive, harassing, stalking, tortious, defamatory, vulgar, obscene, indecent, lewd, profane, invasive of a person's privacy, or that promotes activity that is illegal or unsuitable for minors.
  - 4.2.10. Physical contact of a sexual or romantic nature.

## 5. DUTY TO REPORT

- 5.1. An employee must report any suspected incident of the following:
- 5.1.1. Physical abuse;
  - 5.1.2. Verbal abuse;
  - 5.1.3. Sexual abuse;
  - 5.1.4. Mental abuse; or
  - 5.1.5. Neglect.
- 5.2. Employees who have reason to believe there has been a violation of this policy shall immediately report such conduct to an appropriate school administrator or supervisor. If an employee has reason to believe a school administrator has violated this policy, the employee shall immediately report the conduct to the administrator's supervisor.
- 5.3. Employees who have reason to believe that a child has been subjected to abuse or neglect as outlined in [Nebo School District Policy JHFA, \*Child Abuse or Neglect\*](#), shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Child and Family Services. Employees must complete all assigned training related to identifying, documenting, and reporting child abuse or neglect.

## 6. VIOLATION

- 6.1. Any employee found in violation of this policy will be subject to disciplinary action under [Nebo School District Policy GCPD, \*Employee Discipline, Administrative Leave, and Orderly Termination\*](#). Disciplinary action may include, but is not limited to, suspension, termination, verbal or written warnings/reprimands, or alternate employment placement. In imposing such discipline, all facts and circumstances of the incident(s) shall be taken into account.

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### **EXHIBITS**

None

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### **REFERENCES**

[20 U.S.C. §1232h; 34 C.F.R. Part 98](#)  
[UTAH CODE ANN. § 53B-1-118](#)  
[UTAH CODE ANN. §§ 53E-9-201, et seq.](#)  
[UTAH CODE ANN. § 53G-10-202](#)  
[UTAH CODE ANN. § 53G-10-103](#)  
[UTAH CODE ANN. § 53G-11-501, et seq.](#)  
[UTAH CODE ANN. § 63G-7-301](#)  
[UTAH CODE ANN. § 76-5-404.1](#)  
[UTAH CODE ANN. § 76-9-702.1](#)  
[UTAH CODE ANN. § 80-2-601, et seq.](#)  
[UTAH ADMIN. CODE, R277-210 through 217](#)  
[UTAH ADMIN. CODE, R277-322](#)  
Nebo School District Certified Employee Handbook  
Nebo School District Classified Employee Handbook  
Nebo School District Management Team Handbook  
[Nebo School District Policy CH, \*Websites and Social Media\*](#)  
[Nebo School District Policy GCPD, \*Employee Discipline, Administrative Leave, and Orderly Termination\*](#)  
[Nebo School District Policy II, \*Sensitive Instructional Materials\*](#)  
[Nebo School District Policy JHFA, \*Child Abuse or Neglect\*](#)

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### **FORMS**

None

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**HISTORY**

**Revised 9 October 2024** – changed title from “Employee Student Standards of Conduct” to “Professional Boundaries”; modified philosophy statement and definition of boundary violation; added required language from updates to R277-217 and 322; updated internal citations.

**Revised 11 September 2019** – Updated consistent with HB391 (2019) and model USBE policy; made technical changes.

**Adopted 13 February 2013.**

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