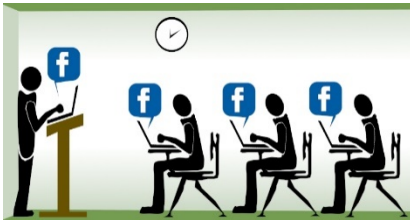


## UPPAC NEWS

A BI-ANNUAL NEWSLETTER FROM THE UTAH PROFESSIONAL  
PRACTICES ADVISORY COMMISSION

### MAINTAINING APPROPRIATE BOUNDARIES WITH STUDENTS IN THE FACEBOOK AGE

With advances in technology and increased availability of smartphones and other devices, it is easier than ever for people to communicate. While improved technology provides opportunities for educators to enhance the way they teach, educators must be careful about how they communicate and otherwise interact with students online. An increasing number of the misconduct cases that come to UPPAC involve improper communication with students through email,



text messaging, and social media. Some of these cases begin innocently enough, with a

teacher answering a student's school-related text message, but the conversation often becomes more and more informal and unprofessional until the teacher-student relationship devolves into a friend-friend relationship. Once that happens, it is difficult to reassert yourself as an authority figure, and it becomes much harder to be an effective teacher.

In an effort to help educators understand what is appropriate and what is not, the Utah State Board of Education has recently enacted some new rules that govern the conduct of licensed educators. The rules contain a new definition of "boundary violation," which identifies several categories of conduct that could result in licensing discipline. These categories include, among others: "engaging in inappropriate or unprofessional contact outside of educational program activities; exchanging personal email or phone numbers

with a student for non-educational purpose or use; [and] interacting privately with a student through social media, computer, or handheld devices."

Your LEA may have stricter or more specific policies, but educators should keep these minimum standards in mind when determining how to communicate with students. With these rules in mind, UPPAC suggests the following guidelines to ensure communications stay appropriate and relationships stay professional:

- Don't give students your personal phone number. There is simply no reason a student needs your phone number. There are many better and safer ways to communicate.
- Don't have one-on-one electronic communication with students. If you need to send a message to a student, consider including the student's parent, a colleague, or an administrator on the message. You may also consider sending a group message to your

A BOUNDARY VIOLATION MAY INCLUDE, "ENGAGING IN INAPPROPRIATE OR UNPROFESSIONAL CONTACT OUTSIDE OF EDUCATIONAL PROGRAM ACTIVITIES; EXCHANGING PERSONAL EMAIL OR PHONE NUMBERS WITH A STUDENT FOR NON-EDUCATIONAL PURPOSE OR USE; [AND] INTERACTING PRIVATELY WITH A STUDENT THROUGH SOCIAL MEDIA, COMPUTER, OR HANDHELD DEVICES."

class as opposed to sending a message to an individual student.

- Communicate only about school-related issues. Don't talk about personal problems—yours or the student's.
- Resist the urge to “follow” or become “friends” with students on social media. You don't need to know what your students are up to on the weekend, and they don't need to know what you made for dinner last night. More importantly, social media is often the gateway that leads to inappropriate communication.
- Consider creating your own policy on electronic communication, and include it in your class disclosure at the beginning of the year. This will let your students know what is appropriate and what is not, and they should not be surprised or offended when you ignore their friend request.

Keep in mind that the rules and suggestions discussed above are there mainly to protect you, the educator. Students sometimes don't understand appropriate teacher-student boundaries, and they sometimes misinterpret a well-meaning educator's intent. Adhering to the above suggestions will help protect you from awkward situations and false allegations. In addition, maintaining appropriate boundaries will help you be an effective educator.

Your students don't need another friend. They need a great teacher. They need you!

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UPPAC CURRENTLY HAS  
74 OPEN CASES.

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GOOD NEWS: over the last 9 years, less than 1/10 of 1% of licensed educators were reported to UPPAC for misconduct.

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MOST UTAH TEACHERS ARE GREAT!

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## RECOGNIZING OUR INCOMING AND OUTGOING UPPAC MEMBERS

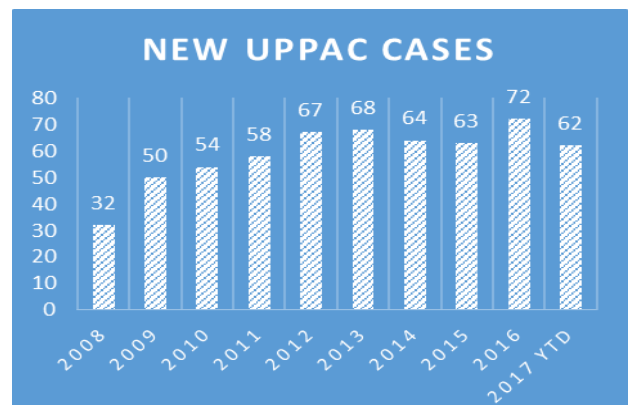
The Utah Professional Practices Advisory Commission is comprised of eleven educators and community members. Members serve three-year terms and meet as a Commission monthly to make thoughtful and reasoned recommendations about educator discipline to the Utah State Board of Education.

**Our Outgoing Members:** We would like to thank Ann K. Peterson, from the Juab School District, and Cheryl Phipps, a community member, for their years of service on UPPAC.

**Our Newest Members:** We welcome Stacy Stoker, from the Juab School District, and Corey Fairholm, a community member, who have been appointed by Superintendent Dickson to serve on UPPAC. We look forward to working with them in advising the Board on educator discipline.

## UPPAC CASES AND STATISTICS

**How Many Cases Does UPPAC Open a Year?**



## What kinds of cases come to UPPAC?

UPPAC opens a variety of cases involving educator professional or ethical violations, as shown in the chart to the right. If you would like to review the UPPAC educator standards, please visit our website:

<https://schools.utah.gov/policy/uppac>

Unfortunately, 30% of our cases involve student-teacher boundary violations, whether physical, verbal, or sexual in nature.

## UPPAC EDUCATOR DISCIPLINE

### A summary of Utah State Board Licensing Actions from January-July 2017

#### Revocation

Case No. 15-1292

An educator asked a thirteen-year old student to send him a photo of herself in a bra. The student refused. The educator's license was permanently revoked pursuant to a Default Order.

16-1348

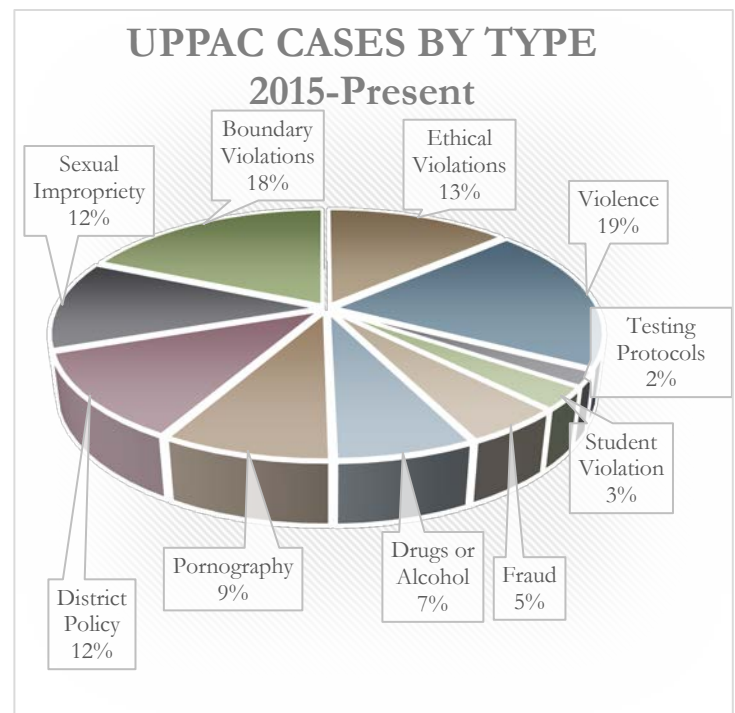
An educator had a sexual relationship with an 18-year-old student. He also exchanged sexually graphic text messages with the student. The educator's license was permanently revoked.

16-1361

An educator entered a guilty plea to Enticing a Minor, a second degree felony, for attempting to solicit a police officer (who he believed to be a thirteen year old girl) to engage in sexual activity. The educator's license was permanently revoked.

16-1337

An educator was convicted of several misdemeanor offenses, including DUI, Intoxication, Attempted Aggravated Assault, and Violation of a Protective Order. The educator's license was permanently revoked pursuant to a Default Order.



15-1300

An educator pled guilty to Production of Child Pornography, a felony, and was sentenced to 22 years in prison. The educator's license was permanently revoked pursuant to a Default Order.

#### Surrender

15-1306

An educator developed an inappropriate relationship with a 17-year-old female student. The educator texted inappropriate messages to the student over a period of weeks and complimented the student's physical appearance. The educator told the student he frequently "checked her out" and occasionally told her what to wear to school, including a push-up bra and yoga pants. On one occasion, the educator sat with the student on his lap and touched the student's stomach under her shirt. The student tried to leave, and the educator pulled her back to him by her hips. The Board accepted the educator's voluntary surrender of his educator's license.

#### Suspension

16-1352

An educator forged an LEA supervisor's signature on a student IEP. Upon a District audit, the Special Education Specialist identified at least two other possible forgeries,

as well as other errors in the educator's IEP files. The educator received a minimum 2-year suspension of his educator's license.

16-1346

An educator looked at sexually inappropriate images on his district-issued laptop over a period of several hours during the school day. Many of the images depicted scantily dressed women, and some of the women were topless. The educator received a minimum 2-year suspension of his educator's license.

16-1334

An educator misused school basketball funds to purchase football gear for his own child and lied about it to his administrators. He later used basketball funds to purchase more gear for his son and withheld per diem money from assistant basketball coaches. The educator received a minimum 6-month suspension of his educator's license.

16-1340

An educator inappropriately disciplined students in her special education classroom, including pulling a student's pony tail, forcing students to eat to the point of vomiting, biting a student's finger, and spanking students. The educator also gave an inappropriate finger gesture to a co-worker in front of students. The educator received a minimum 5-year suspension of her educator's license.

### **Letter of Reprimand**

16-1339

An educator submitted to a drug test and tested positive for marijuana. The educator received a letter of reprimand to remain on her educator's license for two years.

16-1321

An educator violated appropriate boundaries by having an unauthorized holiday party with students on school grounds after hours, yelling at students, and engaging in improper physical discipline of students. The educator received a letter of reprimand to remain on his educator's license for two years.

16-1329

An educator lost a student's special education document. The parent had previously approved and signed the special education document. Instead of asking the parent to sign a new form, the educator created and signed a new form for the parent without permission. The educator received a letter of reprimand that will remain on her license for two years.

16-1345

An educator picked up and carried a first grade student when he was not complying with her request to leave the room. The student bit the educator as she was carrying him, and she stated, "You may not bite me," and slapped him in the face, leaving a red mark on his cheek. The educator received a letter of reprimand that will remain on her license for two years.

16-1368

An educator self-reported that he accessed pornographic material on his school laptop during the summer. He was not on the school campus at the time. After a thorough search of the educator's laptop, the school could not find evidence of pornographic content on the computer. The educator received a letter of reprimand to remain on his educator's license for two years.

17-1395

An educator told a co-worker that she wanted to shoot the kids in her classroom, starting with a co-worker's grandson. The educator maintained the comment was a joke, but her co-worker believed the comment to be serious. The educator received a letter of reprimand to remain on her educator's license for two years.

16-1343

A school counselor talked to a student about her sexual orientation and gender identity without prior consent from the student's parents as required by Utah FERPA law. The educator received a letter of reprimand to remain on her license for two years.

16-1364

An educator accidentally projected an internet browser window onto his classroom wall. The internet browser opened to a default screen, which showed several thumbnail images from the educator's frequently visited site, including an image from the educator's personal email account. The thumbnail image showed a close-up of a naked man. The educator received a letter of reprimand to remain on his license for a period of 2 years.

### **Letter of Warning**

16-1312

An educator shared sexually inappropriate material on her social media feed, which her students followed. The educator received a letter of warning.

16-1342

A student told an educator that he was upset about his school placement and that he felt like killing himself. The student immediately retracted the statement. The educator did not consider it a serious threat of suicide and did not report it to the student's parents. The educator received a letter of warning.

Case No. 16-1330

An educator yelled at a student and slapped his hand because he failed to raise his hand before answering a question. The educator received a letter of warning.

Case No. 16-1349

A school social worker lightly slapped a student's face with her hand when the student talked back to her. While the social worker was not a licensed educator, she had a CACTUS ID and received a letter of warning.

Case No. 16-1350

An educator delayed reporting to law enforcement that a student told her she was sexually assaulted by another student. The educator did not believe the student's story and initially chose not to report it. Upon further reflection, the educator made the report several days later. The student's claim turned out to be false. The educator received a letter of warning.

Case No. 16-1356

An educator received an Alcohol Restricted Driving conviction after a previous conviction for DUI. The educator received a letter of warning.

16-1372

An educator left her loaded handgun on top of the toilet paper dispenser in the faculty restroom after using the facilities. The educator received a letter of warning.

16-1371

An educator told a misbehaving student that if he could not behave in the bathroom that she would put him in diapers. She also told the librarian that another student who had an accident was so smelly that students would not sit next to him in class. The educator received a letter of warning.

16-1369

An educator reviewed questions from the SAGE test with her students after they had finished their first day of SAGE testing. Several of the students had not yet completed the test, which continued the second day. The educator received a letter of warning.

16-1380

An educator was helping a student use the copy machine during art class. When another student came forward to help, the educator pushed him away, causing the student to stumble backward. The educator received a letter of warning.

### **Letter of Admonishment**

16-1354

An educator brought a second grade student into the counseling office common-room area and yelled loudly that the student wanted to kill himself because he didn't get his way. This was overheard by staff members and at least one other student. The educator received a letter of admonishment.

16-1365, 66

An educator and a colleague sold their own teaching material at a State Education conference without receiving permission from the conference directors in violation of the Utah Public Officers' and Employees' Ethics Act. The educator received a letter of admonishment.

16-1355

An educator was arrested on domestic violence charges after an argument with his wife became physical. The charges were dismissed after his wife refused to testify against him. The educator received a letter of admonishment.

16-1385

An educator pled guilty to Child Neglect after she accidentally left her child in the car while she went into a retail store. The educator received a letter of admonishment.

16-1351

An educator led two disruptive students out of his classroom. The students claim he grabbed them by the neck and squeezed as he pushed them out of the classroom. The educator said he led the boys out by placing his hands on their upper backs. The educator received a letter of admonishment.

17-1400

An educator was charged with criminal mischief when he threw a brick at his own car during a disagreement with his spouse. That same afternoon he allegedly pushed over a desk in his classroom while disciplining a student. The educator received a letter of admonishment.

## QUESTIONS? CONTACT US

Our UPPAC team is available if you need to report an ethical violation, have questions about an ethical violation, or if you would like us to provide training to your LEA regarding the educator standards. Please contact Brandie at (801) 538-7745.