

UPPAC NEWS

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

WHAT I'VE LEARNED AS A UPPAC ATTORNEY THAT I WISH I'D KNOWN AS A TEACHER

BY CHRISTI OLCOTT, UPPAC ATTORNEY

I spent eight years as an elementary school teacher before becoming a UPPAC attorney at USBE. When I was a teacher, I was unaware of the specific Educator Standards for teachers or the UPPAC process. Of course, I knew with criminal prosecutions and other obvious misconduct I could lose my job, but I never really considered the procedures in place when misconduct occurred. Working with UPPAC has given me a much better understanding of rules for teachers and consequences for misconduct.

Watching the UPPAC Commission discuss each case, share their thoughts, debate alternatives, and decide together the best way to proceed has been both a pleasure and incredibly insightful. Since becoming a UPPAC Attorney I have learned a mountain of information about education, licensure, and teacher expectations. I am going to list the top five things I think teachers should know about UPPAC.

First and foremost, in UPPAC Attorney investigations, we strive to stay neutral. Our priority is not to take a teacher's license. Our job is to take all the facts and make a report to allow UPPAC and the Board to make an informed decision. It is up to UPPAC to recommend any potential discipline to the State Board. When I talk with teachers, I let them know that I am trying to get the facts for my report and not making determinations on what happened, nor am I trying to trick them into answering a certain way. Our investigation reports are not in favor of one side or another on issues. It is in an educator's best interest to give UPPAC investigators the full story so that UPPAC can make a recommendation based upon the truth.

Second, there are a wide range of things an educator can do to violate a standard, so educators need to be aware of what they are doing that could potentially get them in trouble. Teacher expectations and rules have changed with time and continue to change. I would highly recommend educators review Rule

UPPAC MEMBERSHIP RECOGNITION

UPPAC would like to thank Rich Nielsen from Granite School District and Brenda Kraack from Salt Lake City School District who completed their terms of service on UPPAC in June 2024. We'd also like to welcome our new members, Isaac James from Hawthorn Academy and Kellie May from Salt Lake City School District. If you have an interest in educator ethics and would be interested in serving on UPPAC, watch for application information in May 2025.

R277-215 (Educator Presumptions) and R277-217 (Educator Standards). Some rules have surprised me in how broadly they can be applied. Being aware of the rules is the first step in protecting your educator license.

Third, most of my cases come from School Districts or Charter Schools, Directors, or Principals. Working with your administration and having a professional relationship goes a long way. Do not wait to let people know something went wrong. It protects educator credibility to take responsibility and not wait for someone else to intervene. In general, bad attitudes, complaining, and negativity do not help you in the long run. Being upfront, honest, and helpful through an investigation makes everything more efficient.

Fourth, the largest number of our cases come from boundary violations. You need to keep professional relationships with students. You may not think you will cross a boundary, but it always starts with something small. Boundary violations happen when teachers cross the line and are too personal with students. Often teachers try to take on too much responsibility in a student's life. Teachers cross boundaries by trying to be friends, therapists, or saviors to their students. Boundaries are needed to help students feel safe in class.

Fifth, an educator should document conversations or incidents as much as possible. Obviously being an

educator is already a momentous task that takes a lot of planning and work. I would hate to add more work to an already full plate but documenting difficult incidents may help you if you are referred to UPPAC. In addition, if you need to have uncomfortable conversations with co-workers, students, administration, or parents, try to take someone with you as a witness. Obviously, all interactions cannot be planned in advance, but having an extra person who can verify what happened helps.

Regretfully, we will not end up rich and famous for our time spent as educators. Our many accomplishments and meaningful achievements will go unrecognized to the masses. However, what educators do is the foundation of society. There are sacrifices educators make every day for the sake of their students and I would be remiss to not acknowledge all the wonderful things being accomplished. Being an educator is not easy. Less than one percent of teachers are referred to UPPAC, which is awesome, but we can always do better.

The UPPAC Attorneys have a training that can be presented to educators to better equip them for potential UPPAC issues. We love helping educators before problems occur, thereby avoiding UPPAC referrals. If we can help educators avoid pitfalls, it helps protect Utah students and that is what we all want. Please contact us to help your district or school learn ways to prevent a UPPAC referral.

THE MORE YOU KNOW

Are you interested in learning more about professional practices and how UPPAC operates? You can find more information at our UPPAC website including past newsletters, reporting forms, guides explaining how UPPAC operates and summaries of every case in which the Board has imposed discipline since 2015. If you have suggestions for other resources we should make available, email us at uppac@schools.utah.gov.



UPPAC EDUCATOR DISCIPLINE
A Summary of Utah State Board of Education Licensing Actions
from January 2024 to June 2024

Surrender

21-1795

Paraprofessionals alleged an educator rubbed the penis of a non-verbal student with special needs on two occasions. The educator denied the allegations. The educator voluntarily and permanently surrendered her license prior to completion of the UPPAC investigation.

22-1931

A third-grade student alleged an educator forced her to touch the educator's penis. The educator denied the allegations. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

23-1969

An educator texted fifth-grade students, participated in many events with them outside of school, and gave them gifts. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

22-1981

An educator had an inappropriate relationship with a high school student, including traveling to San Diego with the student and getting matching tattoos. The educator voluntarily and permanently surrendered her license prior to completion of the UPPAC investigation.

23-1970

An educator communicated with a student extensively via Google Chat, flirted with her on Snapchat, and encouraged the student to meet him alone in his classroom. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

23-1991

An educator pled guilty to Voyeurism and Obstruction of Justice, both Class B Misdemeanors. The charges stemmed from allegations that the educator placed a camera in his teenage stepdaughter's bathroom. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

Revocation

22-1883—Default

An educator was found guilty of Object Rape, a first-degree felony; Forcible Sexual Abuse, a second-degree felony; and Aggravated Assault, a third-degree felony. The adult victim alleged the educator committed these crimes on their first date. The educator's license was permanently revoked by default order.

Suspension

19-2599

An educator pled guilty to one count of Aggravated Assault (Domestic Violence), a third-degree felony. This charge arose from allegations the educator strangled his wife. The educator received a suspension of not less than ten years.

22-1880

An educator falsified information in Alternate Pathway to Professional Educator License ("APPEL") documents for four professional licensing candidates. The educator received a suspension of not less than two years.

22-1891

An educator engaged in inappropriate contact with students and discussed her personal life with multiple students. The educator received a suspension of not less than one year.

22-1894

An educator had an inappropriate relationship with an eighth-grade student, which included texting, social media messaging, gift-giving, hugs, and a kiss on the forehead. The educator received a suspension of not less than two years.

22-1899

An educator repeatedly made offensive comments to students both as a coach and as a classroom teacher. This behavior continued after directives and discipline from his principals. The educator also encouraged students to beat up another student. The educator received a suspension of not less than three years.

23-1958

An educator used a tax-exempt Sam's Club card to make personal purchases; threw away thousands of dollars of charitable gift cards that were in her charge; used gift cards intended for donation for personal use; and falsified charitable gift card distribution documentation. The educator was convicted of one count of Wrongful Appropriation, a Class A Misdemeanor. The educator received a suspension of not less than five years.

23-1960

An educator texted female students, gave them rides in his personal vehicle, gave them gifts, and met with them one on one. He also had several interactions with male students involving physical force, one of which resulted in School-level discipline. The educator received a suspension of not less than three years.

23-1961

On two occasions, an educator licked students on their cheeks. The educator also took a group of students to Hooters for lunch while on an out-of-town trip. The educator received a suspension of not less than one year.

23-1977

An educator signed the names of three administrators and one general education teacher on six IEPs. In total, the educator falsified nine

signatures. The educator received a suspension of not less than three years.

23-1992

Paraprofessionals allege an educator repeatedly and intentionally fell on a student who was kicking the educator, causing the student's head to hit the floor. The educator pled no contest to one count of Assault, a class B misdemeanor, with her plea held in abeyance for a period of eighteen months. The educator received a suspension of not less than eighteen months.

23-2037

An educator submitted excess payroll hours for himself as football camp costs. The educator said he planned to use the excess money to pay other coaches and provide dinners to coaches. The educator received a suspension of not less than one year.

Reprimand

21-1808

An aide alleged an educator struck a Special Education student on the head three times. The educator denied this. The educator was charged with felony Child Abuse, but the case was dismissed due to evidentiary problems. The educator had a history of aggressive physical contact with students. The educator received a reprimand.

22-1882

An educator gave a student expired prescription mouthwash that was prescribed to the educator and contained alcohol. The educator received a reprimand.

22-1886

An educator discussed personal matters with students after midnight and imposed harsh discipline to a student athlete. The educator received a reprimand.

22-1889

An educator was charged with one count of Unauthorized Collecting, Sharing, or Use of Student Data, a Class A Misdemeanor, in

violation of U.C.A. § 53E-9-310(1)(e). The charge stemmed from allegations that the educator shared information about a vulnerable student with the educator's husband, who later sexually assaulted the student. The educator pled guilty to the Class A Misdemeanor and received a Plea in Abeyance. The educator received a reprimand.

22-1903

An educator said racial and homophobic slurs in three of his math classes in an attempt to teach students not to use these words. He also asked the only Black student in one of his classes to stand and questioned the student about whether he was offended by use of the N-word. The educator received a reprimand.

22-1909

An educator engaged in personal email with a student, which included discussion of self-harm and suicidality. The educator received a reprimand.

23-1948

An educator was going through personal email during class and accidentally projected a video of a woman masturbating onto a large screen in his classroom, where students were present. The educator received a reprimand.

23-1957

An educator dragged a student down the school hall by the student's foot and kicked the student. The educator received a reprimand.

23-1959

An educator told his colleague about a sexual encounter he had in Spain. In another conversation, the educator told the colleague he was trying to overcome his attraction to her. The educator received a reprimand.

23-1986

An administrative intern said an educator pulled a student by the wrist and restrained the student in violation of Safety-Care guidelines. The educator said she led the student gently by the hand and did not restrain him. The educator had

prior school discipline for using physical force with a student. The educator received a reprimand.

23-2008

An educator placed a student in a cubical area out of line of sight for most of the school day, physically forced the student back into the cubical when she tried to leave, and yelled at the student repeatedly. The educator received a reprimand.

23-2036

An educator pushed a student to the ground when the student would not stop skateboarding in the school hallway. The educator received a reprimand.

23-2055

An educator accidentally emailed two student IEPs to all the parents in the school community. The educator received a reprimand.

23-EH25

An educator yelled at and threatened another teacher. She also yelled profanities in the school hall after school hours. She pled guilty to Disorderly Conduct, an infraction, with her plea held in abeyance for six months. The educator received a reprimand.

Letter of Warning

21-1840

An educator pled no contest to a misdemeanor charge of violating a protective order in California. The charge arose from the educator sending his ex-girlfriend an email from a fake account created by the educator. The educator received a letter of warning.

23-2009

An educator dragged a disruptive student to her office and physically removed the student from climbing a fountain three times. The educator received a letter of warning.

23-2010

An educator scratched a student on the back of the neck as the educator was trying to grab the student's shirt. This left scratch marks that were long and deep enough that in spots there was blood. The educator received a letter of warning.

23-2013

An educator taught material outside the scope of the curriculum. The lessons shown in class and some material on Canvas were found to be inappropriate and unrelated to the curriculum. The educator received a letter of warning.

23-2015

An educator was supervising students at the end-of-year Lagoon Day. The educator brought, distributed, and ingested what she claimed were CBD gummies. The educator tested positive for THC. The educator received a letter of warning.

23-2016

An educator was supervising students at the end-of-year Lagoon Day. The educator was offered a gummy by another teacher, which she accepted and ingested. The educator tested positive for THC. The educator received a letter of warning.

23-EH72

When a student refused to line up, an educator pushed the student towards the line. The educator then pulled or dragged the student to the office. The educator received a letter of warning.

23-EH75

An educator entered scores of zero for students who were not present for the Keep test in violation of state and district testing protocols. The educator received a letter of warning.

23-EH76

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23-EH77

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violation of state and district testing protocols. The educator received a letter of warning.

23-EH79

When a student of Japanese descent was out of his seat, an educator said, "Hey Kim Jung Un, can you sit down please." The educator went on to elaborate on the comparison when asked what he meant by the class. The educator received a letter of warning.

23-EH80

After a student climbed on a stack of chairs, an educator kept the student in his seat by standing behind him for twenty minutes and putting her hand on the student's shoulder whenever the student tried to stand. The educator also held the student's wrist two times when the student tried to leave his chair. The educator received a letter of warning.

24-2088

An educator was arrested for Domestic Violence Assault, Propelling a Bodily Substance and Domestic Violence in the Presence of a Child (all Class B Misdemeanors). The educator pled guilty to an amended charge of Disorderly Conduct, a Class C Misdemeanor, with the plea held in abeyance for a period of twelve months. The educator received a letter of warning.

24-EH2

An educator showed sixth graders a video she found on YouTube that the educator did not preview. The video had inappropriate material including the statement that "size matters." The educator received a letter of warning.

24-EH5

An educator grabbed a student by the jacket and pulled the student out of the educator's personal teacher area. The educator received a letter of warning.

24-EH6

An educator told a student he had a "juicy butt" and kicked the student softly in the buttocks. The educator received a letter of warning.

24-EH7

An educator held onto a second grader's backpack while the student was wearing it. When the student tried to swing at the educator, the educator tried to block the swing, and inadvertently hit the student with a workbook that was in his hand. The educator received a letter of warning.

24-EH13

An educator grabbed a third-grade student by the shirt which cause the student's shoe to fall off. The educator then pulled the student for several feet with one hand under the student's armpit and the other hand on the student's shoulder. The educator put the student against the wall and pointed her finger in the student's face. The educator received a letter of warning.

24-EH17

An educator posted videos to Canvas for students to view. The educator unknowingly posted a video about the Art Deco movement which included photos of topless women. The educator received a letter of warning.

24-EH22

Students reported that an educator grabbed and pushed or dragged an unruly student. The educator said she helped the student to the back of the room by placing her hands on the student's back. The educator received a letter of warning.

24-EH25

An educator grabbed one student by the shirt and another student by the backpack and pushed the students across the hall. The educator received a letter of warning.

QUESTIONS? PLEASE CONTACT US

Our UPPAC team is available if you need to report an ethical violation, have questions about the ethics of a situation, or if you would like us to provide training to your LEA regarding the educator standards. Please email UPPAC at uppac@schools.utah.gov or call (801) 538-7835.