

Reporting of Student Prohibited Acts

Reporting of Student Prohibited Acts—

School employees shall immediately report to the school principal or District superintendent any reasonable belief that a violation of Policy FF has occurred, wherein any student participating in student government and/or extracurricular activities, if occurring while the student is in the classroom, on school property, or during school-sponsored activities, regardless of location or circumstances:

1. Uses foul, abusive, or profane language while engaged in school-related activities;
2. Illicitly uses, possesses, or distributes a controlled substances or drug paraphernalia, and/or uses, possesses, or distributes tobacco, electronic cigarettes, or alcoholic beverages contrary to law; or
3. Hazes, demeans, or engages in assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under Utah law.

Principals who receive a report of a violation of Policy FF shall submit a report of the alleged incident, and actions taken in response, to the District superintendent or the superintendent's designee within ten working days after receipt of the report.

Failure of a person holding a professional certificate to report these prohibited acts as required under this policy constitutes an unprofessional practice.

Utah Code Ann. §53A-11-908 (2010)

Duty to Report Student Use or Possession of Illegal Drugs or Alcohol—

A school employee with reasonable cause to believe that a student has used or possessed alcohol or illegal drugs, counterfeit substances, or any associated paraphernalia at a school District location shall immediately report that fact to the school's designated Administrator:

Utah Code Ann. §§ 53A-11-401 (1989), 53A-11-402 (1988), 53A-3-501 (1998), 58-37-8 (2007)

School District Location Defined—

"School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school

district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

Notice to Parent of Legal Guardian—

Upon receiving a report from a school employee of student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location, the designated Administrator shall immediately report the information to the student's parent or legal guardian, and may report the information to law enforcement agencies or officials. The identity of the school Administrator who reported the prohibited act shall not be disclosed to the student or the parent or legal guardian.

Utah Code Ann. § 53A-11-402 (1988)

Immunity for Good Faith Reporting—

A school employee who in good faith reports student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location in accordance with these provisions is immune from any civil or criminal liability resulting from that action.

Utah Code Ann. § 53A-11-404 (1989)