

UPPAC NEWS

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

WHAT TO KNOW IF YOU'VE BEEN CHARGED WITH A CRIME

Teachers know they must be on their best behavior in the classroom, but did you know your actions outside of school and even in your own home can affect your teaching license? Under the Educator Standards, educators have “role model responsibilities.” R277-217-1(2)(c). As role-models, teachers are expected to follow the law. Teachers are required to report to their LEA if they have been arrested or charged with a crime. Your LEA, in turn, reports to UPPAC. Anytime a teacher is charged with a misdemeanor or felony, UPPAC must look at the case and determine if discipline should be imposed.

Most teachers think, “I will never be charged with a crime,” but it can happen to anyone. UPPAC routinely sees teachers who have been charged with domestic violence, driving under the influence, and theft (beware the self-checkout!). Reckless driving may subject you to UPPAC discipline, as may disorderly conduct at your child’s sporting event.

If you get arrested or charged with a crime, you are required to notify your LEA. You can usually do this by contacting your principal or human resources director. Board rules require that you report to your LEA within 48 hours of being arrested, cited, or charged with any of the following:

- Any alleged sex offense;
- Any alleged drug-related offense;
- Any alleged alcohol-related offense;
- Any alleged offense against the person (such as assault);
- Any alleged felony property offense (such as burglary or arson);
- Any alleged crime of domestic violence;

Unless it’s a minor traffic offense, any crime not covered above must be reported within 48 hours of a conviction or plea in abeyance. The best practice is to just report any charge or arrest as soon as it happens. Failure to report your arrest or conviction is a violation of the rules and could result in more serious discipline from the Board. It

may result in discipline from your LEA as well.

If you are arrested or charged with a crime when you are not employed, you should report directly to the UPPAC executive secretary within 48 hours. You can do this by filling out a form on the UPPAC website.

Most schools and districts will appreciate your honesty and work with you as you navigate your criminal case. Teachers are subject to background checks, so if you get arrested or charged with a crime, UPPAC will be alerted about it. When UPPAC receives a notification of a criminal charge, we notify your LEA, so you might as well follow the rules and self-report. Don't be like the teacher who was in jail during the first week of school and sent an email to his principal saying he was out of the country for a family emergency. The teacher was terminated days later when UPPAC notified the district that he was actually in jail.

It's important to understand that getting charged with a crime does not mean your teaching career is over. Many first-time misdemeanor convictions result in nothing more than a letter of warning from USBE.

Many first-time offenders are offered a plea in abeyance agreement in court. This means you plead guilty, but your plea is not entered in the record. It is held "in abeyance," or suspended for a period. If you complete certain conditions, the case is dismissed after the designated period. While UPPAC will still determine whether USBE discipline is warranted, a plea in abeyance can leave you without a conviction on your criminal record, and UPPAC considers your plea in abeyance as a mitigating circumstance when determining licensing consequences.

Felony charges are much more serious and potentially career-ending for educators. If you are convicted of a felony, the

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.



disciplinary presumption is a long-term suspension of your teaching license. Sometimes teachers plead to a felony in exchange for little or no jail time, then they are devastated to learn their teaching license will be suspended for many years.

Certain crimes are so serious that the presumption is permanent revocation of an educator's license. These include murder, sexual felonies, viewing or distributing child pornography, providing alcohol or drugs to

a minor, or any offense that requires an educator to register as a sex offender.

While it's best to avoid committing crimes in the first place, UPPAC appreciates those educators who properly report their arrests and convictions. Self-reporting is considered a mitigating factor. Following reporting rules and cooperating with your school and UPPAC will help you move past your crime and continue teaching with minimal interruption.

UPPAC EDUCATOR DISCIPLINE
A Summary of Utah State Board of Education Licensing Actions
from July 2024 to December 2024

Surrender

UPPAC Case No. 23-1989

A thirteen-year-old alleged that an educator touched her inappropriately when she was in second grade. The educator was charged with one count of Aggravated Sexual Abuse of a Child in violation of § 76-5-404.1(4), a first-degree felony. The educator pled guilty to an amended count of Lewdness Involving a Child in violation of § 76-9-702.5, a class A misdemeanor. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 23-1995

An educator sent students to run errands, exchanged texts with students, spent time alone after school hours with students, took pictures of a student for non-school purposes, shopped for mattresses with a student, discussed sex with the student, and invited the student to his home on a weekend. The educator wrestled with the student, touched the student's bare stomach, and made comments about ripping off the student's clothes. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 23-2026

An educator went into the home of a twelve-year-old student while the

student's parents were not present. The student alleged the educator slapped the student's bottom while in her home. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 23-2033

An educator offered students alcohol and gave at least one student a massage. The educator engaged in constant contact with students, offered personal tennis coaching, assisted with college applications, offered unlimited access to his classroom, provided food, gave gifts, spoke to students about personal issues, provided his personal cell phone number, gave rides, and invited students to his home. Post-graduation, the educator engaged in sexual acts with three of these students. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 23-2050

An educator emailed a student about the size of her bottom and installed an app on his district computer to erase downloaded images and internet searches. He received a prior reprimand from USBE for committing boundary violations and using his district computer to view indecent material. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 24-2079

An educator confessed to his church bishop that he had inappropriately touched his daughter. He pled guilty to one count of Voyeurism in violation of § 76-9-702.7(4), a class B misdemeanor. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

UPPAC Case No. 24-2090

In 1996, an educator invited a student to live with her. According to the student, the educator and student had a romantic and sexual relationship. The educator voluntarily and permanently surrendered her license prior to completion of the UPPAC investigation.

UPPAC Case No. 24-2114

An educator gave gifts, showed preferential treatment, and engaged in excessive messaging with a female student over a five-year period. The educator voluntarily and permanently surrendered his license prior to completion of the UPPAC investigation.

Revocation

UPPAC Case No. 23-1968—Default

An educator was convicted of one count of Rape in violation of Utah Code Ann. §76-5-402, and one count of Forcible Sodomy in violation of Utah Code Ann. §76-5-403, both first-degree felonies involving a high school student. The educator's license was permanently revoked by default order.

UPPAC Case No. 24-2078

An educator was convicted of two counts of Aggravated Sexual Exploitation of a Minor in violation of Utah Code Ann. §76-5B-201.1(2) and (3)(b), both third-degree felonies, and one count of Sexual Exploitation of a Minor in violation of Utah Code Ann. §76-5B-201, reduced to a third-degree felony as part of a plea bargain. The educator's license was permanently revoked.

Suspension

UPPAC Case No. 19-1702

An educator pled no contest to two felony counts of Stalking (Domestic Violence) in violation of Utah Code Ann. 76-5-106.5. She entered into a plea in abeyance agreement, and her pleas were eventually dismissed. The educator had several prior misdemeanor convictions and a prior letter of warning from USBE. The educator's license was suspended for not less than four years.

UPPAC Case No. 23-1975—Default

An educator had many IEPs past due and IEP errors which he failed to correct. At least two IEPs contained a forged signature of an assistant principal. The educator received a letter of warning from USBE in 2021 for leaving the scene of an accident. The educator's license was suspended for not less than three years by default order.

UPPAC Case No. 23-1981

A student alleged that an educator said a racially inappropriate comment to her. The educator made physical contact with

the same student's head with either his fist or palm. At a school event, the educator made loud unprofessional comments about the principal which were heard by teachers, parents, and students. The educator had prior discipline. The educator's license was suspended for not less than one year.

UPPAC Case No. 23-1988

An educator told a student to drum on her "fat legs" and referred to her movement as an "elephant stampede." He was also convicted of Attempted Lewdness, a class B misdemeanor, for exposing himself to a massage therapist. The educator had two prior UPPAC cases which resulted in a letter of warning and a letter of admonishment. The educator's license was suspended for not less than four years.

UPPAC Case No. 23-1990

An educator was under the influence of alcohol at school. He swore at students and hit a student. The SRO found the educator sitting in his car in the school parking lot with the engine running. The SRO could smell alcohol on the educator and arrested him for Driving Under the Influence. The educator had a blood alcohol content of .18. The educator's license was suspended for not less than three years.

UPPAC Case No. 23-1997

An educator communicated with multiple female staff members about their bodies, appearance, beauty, and his desire towards them. He gave female staff members back rubs, shoulder massages,

and hugs. His behavior was during school hours and in front of students. The educator's license was suspended for not less than three years.

UPPAC Case No. 23-1999

A student reported that an educator appeared to be drinking and had beer cans in the classroom. Administration found three empty 12-ounce beer cans and one unopened beer can in the educator's room. The educator's license was suspended for not less than two years.

UPPAC Case No. 23-2004

An educator showed objectionable pictures and memes to co-workers. The educator viewed pornography on a district computer and had a large quantity of pornography on his district computer. The educator's license was suspended for not less than three years.

UPPAC Case No. 23-2021

An educator engaged in personal conversations with his TA, spent time alone with her, and allowed her to bring him coffee every day. He also made false statements on a district employment application. The educator's license was suspended for not less than one year.

UPPAC Case No. 23-2039

An educator mocked a special education student in front of the class. He received a prior letter of warning from USBE for texting a student and making inappropriate comments about an investigation the school was conducting. The educator also had prior discipline

from the district. The educator's license was suspended for not less than one year.

UPPAC Case No. 23-2041

An educator pled guilty to an amended charge of Possession/Consumption of Alcoholic Beverage at School/School Activity, a class C misdemeanor and pled guilty to Intoxication, a class C misdemeanor. The educator's license was suspended for not less than one year.

UPPAC Case No. 23-2042

An educator had a container of alcohol in her classroom. School staff report the educator smelled of alcohol and behaved as if she were drinking. The educator's license was suspended for not less than two years.

UPPAC Case No. 23-2052

An educator asked a colleague to bring her a THC oil cartridge at school. The colleague did so. The educator told the colleague she did shrooms with a date. The educator received a prior reprimand from USBE for having a second job during school hours in violation of the Utah Public Officers and Employee's Ethics Act. The educator's license was suspended for not less than three years.

UPPAC Case No. 23-2059

Administrators believed an educator was under the influence of alcohol while at work, but the educator refused to be tested. The educator later was charged with and pled guilty to Driving Under the Influence, a class B Misdemeanor. She had a blood alcohol content of .41. The

educator's license was suspended for not less than two years.

UPPAC Case No. 23-2061

An educator got into an argument with his wife and threw a chair at her, causing a bruise to her arm. The educator's adult son heard the fighting and entered the room. The educator threw another chair at his son which broke the son's right middle finger. The educator was charged with Domestic Violence Attempted Assault, a third-degree felony, and Domestic Violence Assault, a class A misdemeanor. Charges were enhanced due to a prior Domestic Violence conviction in 2017. The educator's license was suspended for not less than three years.

UPPAC Case No. 23-2070

An educator engaged in personal conversations and text messaging with female students. He viewed a student's Instagram stories and videotaped the student at a basketball game. The educator had similar concerns in another district and a prior reprimand from USBE. The educator's license was suspended for not less than two years.

UPPAC Case No. 23-2096

An educator restrained a seventh-grade female student for approximately twelve minutes in front of the class, touching the student's arm, thighs, wrist and chest as he restrained her. After he was terminated, he sent emails from his personal account to the school student population and parents telling them he was let go and encouraging them to help him regain his employment. The

educator's license was suspended for not less than one year.

Reprimand

UPPAC Case No. 22-1876

During a discussion about Covid in an IB Theory of Knowledge class, an educator said if someone knowingly went to the mall with Covid, that person would be a "Plague Rat." The educator engaged in a discussion about how the students of color were all wearing masks while white students were not. The educator also provided instructional material to a fellow teacher that contained explicit poetry. The educator received a reprimand.

UPPAC Case No. 23-1998

An educator made multiple false reports of rape. She pled guilty to Providing False Information to Law Enforcement, a class B misdemeanor. She previously received a letter of warning from USBE following a conviction for Providing a False Police Report. The educator received a reprimand.

UPPAC Case No. 23-2000

An assistant principal had sexual relations with a teacher who worked at his school. He completed the teacher's evaluations during and after their relationship. The assistant principal's computer had explicit photos of himself and sexual partners. The educator received a reprimand.

UPPAC Case No. 23-2006

An educator put his hands on the back of two female students' necks. The students alleged the educator physically directed

the students to the ground. The educator also touched the bare skin of the necks, shoulders and arms of students. The educator received a reprimand.

UPPAC Case No. 23-2011

An educator participated in a TikTok video production with two female students during his advisory class. The video included the f-word and used the term "Jew" in a derogatory context. The educator received a reprimand.

UPPAC Case No. 23-2028

An educator engaged in extensive and personal communications with a student using his personal phone number and personal electronic device. The educator received a reprimand.

UPPAC Case No. 23-2034

An educator used the f-word and "bullshit" when talking with a student. The educator kissed a student on the head. The educator also kicked the back of a student's chair so hard the student hit their knee on the table leg. The educator received a reprimand.

UPPAC Case No. 23-2043

An educator took special education paperwork with her from prior teaching positions. She left special education paperwork from current and prior students unsecured when she retired from her position. The educator received a reprimand.

UPPAC Case No. 23-2047

An educator pled guilty to one count of Sexual Battery, a class A misdemeanor, with his plea held in abeyance for a period of twenty-four months. This charge arose from allegations the educator grabbed the buttocks of a woman on a first date. He received a prior letter of warning from USBE after he pled guilty to Driving Under the Influence of Alcohol. The educator received a reprimand.

UPPAC Case No. 23-2054

Parents allege an educator took a student's chair away for an entire day, causing the student to experience pain. The educator had prior discipline from the district for treating students unfairly. The educator received a reprimand.

UPPAC Case No. 24-2126

An educator left a loaded gun in the school restroom. She had previously received a plea in abeyance after having a loaded gun in her backpack at the Salt Lake Airport. The educator received a reprimand.

Letter of Warning

UPPAC Case No. 23-1976

An educator pinched a first-grade student's neck, pulled the student by the arm into the classroom, and dragged the student out from under a desk. The educator received a letter of warning.

UPPAC Case No. 23-1980

After a student pushed a door into an educator, the educator opened the door, catching the student between the door and the wall. The educator then moved the student out of the way by sliding her

out from behind the door with her foot. The educator received a letter of warning.

UPPAC Case No. 23-1994

An educator failed to respond after being notified that a student had a knife on a field trip. The educator received a letter of warning.

UPPAC Case No. 23-2019

An educator regularly yelled at and spoke harshly to students. The educator shared confidential student information to a third party without the student's consent. The educator received a letter of warning.

UPPAC Case No. 23-2024

An educator gave a student a pair of socks for her birthday, told the student she was his favorite student, walked the student out after school, and followed the student on social media. The educator received a letter of warning.

UPPAC Case No. 23-2025

An educator aggressively grabbed a kindergarten student by his arms and put her face in the student's face. The educator received a letter of warning.

UPPAC Case No. 23-2035

An educator pled guilty to Driving Under the Influence, a class B misdemeanor. In a separate case, the educator entered into a plea in abeyance agreement for Reckless Driving, another class B misdemeanor. The educator received a letter of warning.

UPPAC Case No. 23-2040

An educator who was a football coach grabbed and pushed a student during a football game, causing the student to fall

to the ground. The educator then yelled at the student. The educator received a letter of warning.

UPPAC Case No. 23-2046

An educator used an unapproved book per district policy. He discussed menstruation, tampons and wiping “asses” with his class and failed to deescalate student behaviors. The educator received a letter of warning.

UPPAC Case No. 23-2051

Kindergarten students reported that an educator yelled at the class, pulled a student by the arm, and tipped the student out of his chair. The educator received a letter of warning.

UPPAC Case No. 24-2060

An educator had multiple personal conversations with two students and gave the students gifts. The educator received a letter of warning.

UPPAC Case No. 23-2063

A principal failed to complete a thorough investigation into a student’s claim of sexual misconduct in a timely manner. The principal also withheld information from the district about the student’s allegation. The principal received a letter of warning.

UPPAC Case No. 23-2064

An educator assisted another employee in dragging a student by the arm down the hallway, resulting in bruises on the student’s arms. The educator received a letter of warning.

UPPAC Case No. 23-2074

An educator was convicted of one count of Driving Under the Influence, a class B misdemeanor. The educator received a prior letter of warning from USBE following an incident where she trespassed at the home of a man she had been dating. The educator received a letter of warning.

UPPAC Case No. 23-2080

An educator reported he completed ten hours of Associate Educator License Modules on his USBE licensing renewal form. A licensing review found he only spent three hours and ten minutes on the modules. The educator said he estimated his time incorrectly. The educator received a letter of warning.

UPPAC Case No. 23-2083

An educator signed her department head’s name on three Amazon purchase forms and three P-card request forms. The educator did not have permission to sign her department head’s name, but a prior department head had instructed staff that it was okay to sign her name on purchase forms. The educator received a letter of warning.

UPPAC Case No. 23-2084

An educator signed her department head’s signature on two Amazon purchase forms. There was a dispute about whether educator had permission from her department head to sign his name. The educator received a letter of warning.

UPPAC Case No. 24-2087

An educator pled guilty to Impaired Driving, a class B misdemeanor. She previously received a letter of warning from USBE for an altercation at a bar which resulted in a Disorderly Conduct infraction. The educator received a letter of warning.

UPPAC Case No. 24-EH27

An educator failed to properly supervise a six-year-old student with Prader-Will Syndrome and a low IQ that was known to run and hide. The student was found in the middle of the street by an elderly couple who returned the student to the school. The educator received a letter of warning.

UPPAC Case No. 24-EH29

After a student repeatedly kicked an educator's door, the educator chased the student down the hall, through the cafeteria and then outside. The educator pushed the student, then grabbed the student by the arm and backpack and escorted the student to the office. The educator received a letter of warning.

UPPAC Case No. 24-EH35

An educator grabbed a student by the wrist and dragged him out of the classroom. The educator received a letter of warning.

UPPAC Case No. 24-EH38

An educator yelled at students and threw a math workbook at a student, hitting the student in the back of the head. The educator received a letter of warning.

UPPAC Case No. 24-EH40

An educator engaged in inappropriate conversations with students, which included pulling up his shirt, exposing his belly, and mocking teenage girl behavior. The educator received a letter of warning.

UPPAC Case No. 24-EH45

An educator engaged in unethical testing practices by helping an ELL student with KEEP testing. The educator received a letter of warning.

UPPAC Case No. 24-EH47

An educator was talking to his class about *Where the Red Fern Grows* when a student made a disrespectful comment. The educator stated he tapped the student on the back of the head, but the student said the educator slapped him. The educator received a letter of warning.

UPPAC Case No. 24-EH48

An educator presented a Childish Gambino video to his tenth-grade English class which showed two people being shot point blank. The educator felt the video had historical significance but did not disclose the graphic nature of the video so students could be excused beforehand. The educator received a letter of warning.

UPPAC Case No. 24-EH54

A colleague witnessed an educator use a vaping device called a ripple in school. The educator claimed it did not contain nicotine or marijuana, but an herb to help stop using nicotine. The educator received a letter of warning.

UPPAC Case No. 24-EH55

An educator attended a CTE summer conference at the Utah State Board of Education. At the conference she got to go into a lab to take some of the YouScience tests. The educator took notes during the test in violation of testing rules. The educator received a letter of warning.

UPPAC Case No. 24-EH56

An educator attended a CTE summer conference at the Utah State Board of Education. At the conference she got to go into a lab to take some of the YouScience tests. The educator took photos of test questions with her phone in violation of testing rules. The educator received a letter of warning.

UPPAC Case No. 24-EH61

An educator did a get to know you activity where she had students write down their name, what books they enjoyed, and their preferred pronouns. Students folded the papers into airplanes, flew them and then found the person whose information was on the airplane. The educator was new to public education and routinely asked students about their pronouns without

issue in her prior private school teaching assignment. The educator received a letter of warning.

UPPAC Case No. 24-EH62

A health educator conducted an activity where she asked students questions, and students would respond by putting a marble in a jar if the answer was yes. The educator asked questions representative of all the units she would teach that semester. The educator instructed students to put a marble in the jar if they had ever “been horny.” The educator did this to represent her sex education unit. The educator received a letter of warning.

UPPAC Case No. 24-EH63

An educator who was a basketball coach texted the basketball team a “top secret text” asking if they wanted to slap another student. The educator received a letter of warning.

UPPAC Case No. 24-EH64

Video footage showed an educator incorrectly moving a special education student by grabbing the student on the hand or wrist on two occasions. 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.