

Part 4

Reporting of Prohibited Acts

53A-11-401 Definitions.

For purposes of Sections 53A-11-402 through 53A-11-404:

- (1) "Educator" means a person employed by a public school, but excludes those employed by institutions of higher education.
- (2) "Prohibited act" means an act prohibited by Section 53A-3-501, relating to alcohol; Section 58-37-8, relating to controlled substances; or Section 58-37a-5, relating to drug paraphernalia.

Amended by Chapter 22, 1989 General Session

53A-11-402 Mandatory reporting of prohibited acts.

If an educator has reasonable cause to believe that a student at the public school where the educator is employed has committed a prohibited act, he shall immediately report that to the school's designated educator.

Enacted by Chapter 2, 1988 General Session

53A-11-403 Reporting procedure.

- (1) The principal of a public school affected by this chapter shall appoint one educator as the "designated educator" to make all reports required under Sections 53A-11-401 through 53A-11-404.
- (2) The designated educator, upon receiving a report of a prohibited act from an educator under Section 53A-11-402, shall immediately report the violation to the student's parent or legal guardian, and may report the violation to an appropriate law enforcement agency or official.
- (3) The designated educator may not disclose to the student or to the student's parent or legal guardian the identity of the educator who made the initial report.

Enacted by Chapter 2, 1988 General Session

53A-11-404 Immunity from civil or criminal liability.

An educator who in good faith makes a report under Sections 53A-11-402 and 53A-11-403 is immune from any liability, civil or criminal, that might otherwise result from that action.

Enacted by Chapter 2, 1988 General Session