

The Utah State Board of Education hereby issues this public censure expressing disapproval of Board Member Natalie Cline’s violation of Board Bylaws as follows:

WHEREAS, Board Bylaw IV(1) states: “The Board, both as a body and as individual Members, is in a position of trust and shall act in accordance with appropriate fiduciary duties, including . . . acting in the best interest of the school children of the state . . .”; and

WHEREAS, Board Bylaw IV(2) states: “While Members have the right to freedom of expression, members shall respect the privacy of students . . . including refraining from direct and indirect identification of such, in a negative light in any public setting, venue, or platform where there is a reasonable expectation of privacy.”; and

WHEREAS, Board Bylaw V(4)(a) states: “Members who post or comment on social media do so in an ethical and civil manner . . .”; and

WHEREAS, Board Policy 2004(1) states: “A member’s communications as described in Board Bylaws Article V subsection (4)(a) . . . shall not, as determined by Board Leadership:

- i. Place the Board at risk of legal liability;
- ii. Defame . . . individuals;
- iii. Promote inaccurate information;
- iv. Place . . . individuals at risk for harm; or
- v. Incite or encourage violence.” ; and

WHEREAS, Board Policy 2004(2)(b) states: “A member should not communicate anything that violates R277-217 Educator Standards . . .”; and

WHEREAS, R277-217-2(4) Educator Standards states: “An educator may not . . . participate in sexual . . . or emotional harassment towards any . . . public school-age student.”; and

WHEREAS, R277-217-2(23) Educator Standards states; “An educator may not . . . discriminate against [or] harass . . . on the basis of . . . sex . . .”; and

WHEREAS, R277-217-3 (2) states: “An educator shall . . . treat[] a student with dignity and respect by promoting the health, safety and well being of students.” and

WHEREAS, R277-217-3(3) states: “An educator shall . . . take prompt and appropriate action to stop, mitigate, and prevent harassment or discriminatory conduct toward a student . . . that the educator knew or should have known may result in a hostile, intimidating, abusive, offensive, or oppressive environment.”; and

WHEREAS, R277-217-3(4) states: “An educator shall . . . take prompt and appropriate action to protect a student from any known condition detrimental to the student’s physical health, mental health, [or] safety . . .”; and

WHEREAS, Board Policy 2004(2)(d) states: “A member should hold themselves to a higher standard than the general public in areas of conduct and ethics, including in their communications generally and in their use of social media.”; and

WHEREAS, Board Bylaw IV(12) states: “A Member may be reprimanded, or the actions of a Member censured, for any violation of law, policy, Bylaws, or any other conduct which tends to injure the good name of the Board, following adequate due process, if appropriate.”; and

WHEREAS, The Board or Board leadership may authorize action in accordance with Board Bylaw IV (12); and

WHEREAS, on February 6, 2024 Member Natalie Cline posted on Facebook a picture clearly identifying specific students and the school the students attended and in the initial post insinuated that one of the female students in the picture may not be female and is wrongly playing on a girls’ basketball team, and confirmed the insinuation in a subsequent post on February 7, 2024; and

WHEREAS, Member Natalie Cline’s post resulted in numerous negative comments which could be considered inaccurate, derogatory, defamatory, demeaning, harassing and threatening toward one of the students pictured in the post; and

WHEREAS, many of the negative comments which Member Natalie Cline allowed to remain posted on her account appeared to constitute cyberbullying as defined in Utah Code Ann. 53G-9-601; and

WHEREAS, Member Natalie Cline allowed the post and negative comments to remain on Facebook for at least 11 hours; and

WHEREAS, comments to the initial post were removed that supported the minor student and drew attention to the inaccuracies of the post in relation to the minor student; and

WHEREAS, Member Cline’s Facebook post created a substantial risk of harm in her communication to the public, the student, Utah State Board of Education (USBE) members, USBE staff, and herself; and

WHEREAS, the burden of accuracy for content posted on social media resides with the poster; and

WHEREAS, the post and negative comments resulted in harassment, intimidation, humiliation, and unwarranted distress to one of the pictured students and her family members; and

WHEREAS, the post and negative comments resulted in disruption to the operations of the high school identified in the post, the Granite School District, and the USBE; and

WHEREAS, Member Cline has over three years of experience as a Board Member and awareness of the processes and procedures put in place to address questions or concerns raised by the public; and

WHEREAS, Member Cline was offered the opportunity to address the Board and respond or explain her concerns regarding the Board’s/Board Leadership’s reaction and communications to her February 2024 social media posts, including subsequent apologies and provide a written statement which was provided on February 13, 2024 and included in Board materials; and

WHEREAS, the responsibility and authority to impeach or remove due to Member Cline’s action resides with the Utah Legislature.

NOW, THEREFORE, BE IT RESOLVED: That the Board does hereby censure, disavow, and formally express its disapproval of Member Natalie Cline's conduct described above.

ADOPTED by the Utah State Board of Education at a meeting of the Board held on February 14, 2024, by the following vote:

14 Ayes **0** Noes **0** Abstain **1** Absent

A handwritten signature in black ink, appearing to read 'James Moss', is written over a horizontal line. The signature is stylized with a large, sweeping initial 'J'.

James Moss
USBE Board Chair