

# Utah State Board of Education Internal Audit Department

Required Hotline Training  
Implementing R277-123 Rule Changes

## INTRODUCTION

Welcome to the training on Board Rule R277-123 *Process for Members of the Public to Report Violations of Statute and Rule*. This training was developed by the Internal Audit Department of the Utah State Board of Education, otherwise known as the USBE.

The Internal Audit Department maintains the Public Education Hotline. This training module and related materials are being provided as mandated under this rule, which was revised by the state board in June 2025 and became effective in August 2025.

Why the changes? Government policy makers are receiving increased requests for enhanced accountability from their constituents and are taking action accordingly. For example, House Bill 497 *Public Education Compliance* from the 2025 legislative General Session became effective May 7, 2025, and requires the state board to be more proactive in “addressing and resolving compliance and monitoring issues.”

This training will cover the following: first, we will go over some basic terms and public education governance information to make sure we are on the same page. Then we will discuss the rule, starting with important definitions and how individuals submit concerns. Next we will cover the responsibilities of the Internal Audit Department and the responsibilities of school districts and charter schools, including reporting and notification requirements. Finally, we will recap some key points and be done.

You are likely aware, but school districts and charter schools together, are referred to as Local Education Agencies or LEAs. This training is designed to provide information to LEAs to ensure the requirements of this Rule, and the related processes, are understood.

LEAs are ultimately responsible to ensure compliance with this rule. Each LEA’s local policies and procedures, and implementation of those policies and procedures, may be different given LEA authority for “local control and management.”

### LEA Governing Board

A word to the presiding officers of LEA governing boards. You have the responsibility to ensure members of the governing board and LEA administration are provided with this training on the requirements of R277-123.

Presiding officers and local boards that ensure compliance with this rule will enhance relationships with their community and better ensure that local strategic plans and goals are achieved. Compliance will also help identify and assess risks that local boards can then address.

Failure to comply with this rule may result in remedial or corrective action as outlined in law and may increase risk to Utah’s students, families, and taxpayers.

## **PUBLIC EDUCATION SYSTEM GOVERNANCE**

Because education is governed by laws and policies at the federal, state, and local level, it is important first to understand the basic governance structure in Utah public education.

There are several entities within the state of Utah that have important roles in governing education.

The information presented about certain entities is not intended to be an exhaustive list, nor is it meant to cover every role and responsibility for the entities identified. Rather, this is intended to provide high-level information to better explain the relationships between entities that impact and have a role in Utah public education.

### **USB**

First, let's review the role of the Utah State Board of Education or "state board".

The state board has "general control and supervision" over public education in Utah in accordance with the Utah Constitution, Article X, Section 3, and Utah Code 53E-3-401. In general, this means that the state board's authority is "directed to the whole system." In other words, the state board does not typically govern, manage, or operate LEAs, institutions, or programs, unless granted that authority by statute.

The state board is required to enact rules to execute the state board's duties and responsibilities under the Utah Constitution and state law.

The state board also has enforcement authority. In addition to other actions, the state board can require LEAs to enter into corrective action agreements, temporarily or permanently withhold state funds, require a LEA to pay a penalty, or require LEAs to reimburse specific state funds to the state board.

### **LEAs**

In addition to the state board, LEAs have a significant role.

Each LEA is governed by a local governing board which has powers and duties as outlined under Utah law, including the primary responsibility for "control and management." Each LEA must comply with the laws that are applicable to them.

### **Authorizers**

Charter School Authorizers also have a significant role.

The State Charter School Board, an LEA board, or an institution of higher education board of trustees, have authority to authorize a Utah public charter school. Authorizers have various duties that are outlined in law including: the responsibility to assist charter schools in understanding and carrying out the charter school's charter obligations, providing technical support, and remediating noncompliance.

### Other State and Local Agencies

Finally, there are other state and local agencies that may have some oversight authority related to public education, even though their primary responsibilities are not directly related to K-12 public education. For example, at the state level, the Utah Attorney General's Office and local county attorneys are responsible for enforcement of the Open and Public Meetings Act. At the local level, local law enforcement, health departments, and other local agencies may have oversight related to statute or rules related to safety and building code compliance.

The Utah System of Higher Education also has shared governance over programs that cross between public education and higher education, such as concurrent enrollment courses or those that offer college level credit.

Lastly, there are several federal agencies that may have oversight. For example, the United States Department of Education oversees the use of grant monies for specific programs. Similarly, the Office of Civil Rights investigates non-compliance with discrimination laws, Title IX, and Section 504 of the Rehabilitation Act.

## **PUBLIC EDUCATION ACCOUNTABILITY**

Now that we have covered the basic levels of public education governance, let's get to the topic at hand—public education accountability.

To be responsive and accountable to the trust given to educate Utah's children, many years ago the Legislature enacted a requirement that the state board provide a process for an individual to report alleged violations of statute, board rule, or other concerns.

To comply with this requirement, the state board established R277-123. This rule provides for a state Public Education Hotline as well as the option for an LEA to provide their own local education hotline. The rule also includes required elements related to the state and local hotlines.

This training will review several provisions in the rule and how they have been implemented at the state level; however, the training does not remove the obligation for LEAs to be aware of, and compliant with, all applicable provisions of the rule.

This rule has several definitions that provide clarity. Of note:

- the Public Education Hotline is the **state** level hotline process, whereas
- the Local Education Hotline is an **LEA** level hotline process.

## REPORT A CONCERN

Anyone can report a concern about public education on the Public Education Hotline, which provides for several methods of reporting such as:

- an email,
- the survey form, or
- a phone call.

Internal Audit categorizes individuals that contact the hotline into various groups, such as:

1. Parent or Guardian,
2. Student, and
3. Public Education Employee

When Internal Audit receives a concern, regardless of the method, the concern is logged and assigned a reference number.

Internal Audit classifies each concern with one of three permissions:

First, **Public** – meaning the individual submitting the concern did not request to be confidential,

Second, **Confidential** – meaning the individual submitting the concern did not want their name or contact information shared except to the extent required by law, or

Third, **Anonymous** – meaning the individual submitting the concern did not provide their name or contact information.

We often hear that a factor driving the desire for confidentiality or anonymity is fear that an LEA or school will retaliate against a student or parent.

## INTERNAL AUDIT RESPONSIBILITIES

Internal Audit is required to perform a high-level screening of all concerns within 7 business days of receiving the concern. The purpose of the high-level screening is to identify entities who have authority to investigate and resolve the complaint.

Once the high-level screening is complete, referrals are made to one or more of the following:

- the individual submitting the complaint;
- LEA leadership;
- USBE Board leadership or the board member representing the voting district that the hotline complaint is related to;

- the applicable LEA, USBE section or sections, charter school authorizer, or other entities or organizations responsible for receiving, investigating, or resolving a hotline complaint;
- USBE special education staff for hotline complaints related to special education; or
- the Utah Professional Practices Advisory Commission or UPPAC, when the complaint contains allegations of educator misconduct by a licensed educator;

We will talk about some of these in more detail, but please be aware that Internal Audit staff—like all individuals—are mandatory reporters. So, in addition to the referrals above, and as required by law, we will refer allegations of actual or suspected abuse or neglect regarding children to the Utah Division of Child and Family Services, Child Protective Services, or local law enforcement.

## REFERRALS

Now, a few additional details about some of the referrals that are made.

A referral to an individual submitting a complaint is really a response, letting them know:

**First**, the reference number assigned to the concern they submitted,

**Second**, if Internal Audit made any referrals, and

**Third**, as appropriate, additional resources that may be helpful. This could include references to laws or other entities that they could contact.

Please be aware that Internal Audit cannot and does not provide legal advice.

Internal Audit recognizes that most concerns are best addressed at the local level. Accordingly, as part of the additional resources, we often provide a link to the [“Where Should I Start”](#) form and encourage individuals to work directly with local school administration and LEA leadership.

Because the state board has general control and supervision of public education and has extensive reporting responsibilities, as well as specific requirements that must be met in some areas (for example, special education), Internal Audit may refer complaints to other sections within the USBE.

Because of these referrals, LEAs may be contacted by others at the USBE, and separate discussion or documentation may be required for their processes.

Individuals who are licensed by the state board, no matter the license type, are required to adhere to Educator Standards, which are outlined in R277-217. Did you know that these standards include that an educator “shall comply with all federal, state, and local laws”?

If a concern includes allegations of misconduct by a licensed educator, or an individual who held a license at the time of the allegation, Internal Audit is required to make a referral to UPPAC.

LEAs have UPPAC and educator notification requirements as well, see R277-217-5 for details.

When Internal Audit makes a referral to an LEA, the referral is sent directly to at least two members of local leadership. In most cases, concerns are sent to the LEA board president and vice president, and to either the superintendent for school districts or the executive director for charter schools.

That said, if a complaint includes allegations against an individual that would normally receive the referral, R277-123-4 requires that individual be excluded from the referral.

### *Prohibited Discriminatory Submissions, Trainings, Practices*

Before discussing what happens after referrals are made, please be aware of a specific carve-out in the rule for allegations about Prohibited Discriminatory Submissions, Trainings and Practices—we will call these PDSTP for short.

These terms are defined in Utah Code 53B-1-116, 117, and 118. They relate to recruitment, employment, and other practices based on an individual's personal identity characteristics.

These types of concerns were specifically identified in House Bill 261 of the 2024 legislative General Session and the state board is required to provide updates to the Legislature about these types of concerns.

Given the risk associated with PDSTP concerns, they are specifically called out in R277-123-5, as well as having a shorter LEA response time in R277-123-7, but we will cover this later in the training.

### *LEA Responsibilities*

Now that we have discussed the intake and referral process used by Internal Audit, let's review accountability for LEAs.

Each LEA must allow individuals to report concerns in accordance with R277-123, by providing—on the home page of the LEA website, and each school's website—either a readily accessible local education hotline; or a link to the state public education hotline.

If an LEA chooses the second option and includes the link for the state Public Education Hotline on its websites, the LEA is also required to "include a prominent notice that states:

*Complaints or concerns can be filed by following the process as outlined here. Hotline Complaints go directly to the State Board of Education Internal Audit Department and may be referred back to the LEA."*

This notice is required to ensure transparency as to which entity will receive the concern and to reinforce the previously noted principle that most concerns should be resolved at the local level.

Another accountability point for LEAs is that they must create and implement policies and procedures outlining how the LEA will respond to and resolve hotline complaints, regardless of whether the concern comes directly to the LEA or as a referral from Internal Audit.

In developing the required policies and procedures, please be aware of other laws and rules that may have additional policy and procedure requirements. For example, R277-613 has extensive requirements regarding policies for bullying, cyber-bullying, hazing, retaliation, abusive conduct, and making a false report.

That said, a policy directed solely at items identified in R277-613 is not sufficient to handle the many and varied types of concerns that may be received on a hotline.

To optimize the use of LEA time and effort, the policies and procedures that are developed must also be implemented. Meaning, LEA personnel at all levels need to be aware of the LEA's policies and procedures and have access to a written version of them. An LEA may also provide training on how to implement them. Finally, an LEA should also ensure accountability for noncompliance with policies and procedures.

R277-123 requires the LEA policy to have a provision that requires LEA personnel to promptly contact the individual submitting a concern if their contact information is available. Each LEA must also document:

- the LEA personnel that contacted the individual submitting the complaint;
- the type of contact made, for example a phone call or, email;
- the date of contact; and
- the resolution of the concern or action steps to be taken.

At a minimum, there must be at least two good faith attempts to contact the individual who submitted the concern.

An LEA receiving a hotline complaint must investigate consistent with due process, LEA process, and the law.

This includes that the information related to a hotline complaint is only disclosed as necessary to investigate the complaint in accordance with the LEA's student and employee privacy policies.

### *Public Education – A System*

The constitution of the state of Utah indicates public education is a system, and as previously noted, various entities have responsibilities for oversight and maintenance of the system funded by taxpayers.



To ensure accountability to the fiduciary trust of taxpayers, families, students, and others that participate in the public education system, policy makers continuously request data on public education system compliance.

R277-123 now includes monthly reporting of specific information about hotlines to state board members. For Internal Audit to comply with our reporting requirements to the state board, information from LEAs is necessary and is now required in greater detail.

### LEA Reporting Responsibilities

An LEA receiving a hotline complaint referral from Internal Audit must submit a summary as requested by Internal Audit. Before we talk about what a summary includes, let's talk timelines.

An LEA must submit a summary for a hotline complaint within **45 days** of the referral from Internal Audit with one exception.

The exception is for a hotline complaint related to a PDSTP that we referenced earlier. A PDSTP is a prohibited discriminatory practice, prohibited training, or prohibited submission. A summary for these types of complaints is due within **14 days** of the referral.

If a hotline complaint is **not resolved** when the LEA provides the summary, regardless if the summary is for a general hotline complaint or a hotline complaint related to a PDSTP, the LEA is required to provide an update to Internal Audit every 30 days until the hotline complaint **is resolved**.

What does "resolved" mean? "Resolved" is defined in the rule and means "that an investigation has been completed." "'Resolved' does **not** mean or require that the findings are satisfactory to any specific individual, LEA, or entity."

## **ACCOUNTABILITY**

Before we walk through what an LEA summary or update will look like, let's talk about compliance.

As noted, policy makers are increasing scrutiny of public education system compliance as citizens request greater accountability. For example, during the 2025 legislative General Session, the legislature increased remedies available to the state board to address non-compliance.

Of course, an LEA can accept the risk of not complying with any law, including provisions of R277-123. However, just as a driver may be pulled over for speeding, there are consequences if noncompliance is identified.

Updates to R277-123 now require Internal Audit to track and review summaries provided by LEAs and provide information to the state board Audit Committee and state

board members. Internal Audit must also make several notifications if LEA's do not comply with R277-123-7. Notifications will be made to:

1. the LEA governing board, as most concerns are best addressed at the local level,
2. the State board Audit Committee, and Board Leadership as needed, for consideration of remedial action,
3. the State board member representing the voting district where the alleged violation occurred,
4. the state Superintendency for consideration of corrective action for noncompliance with state laws, and
5. UPPAC, if the noncompliance is perpetuated by a licensed educator, given noncompliance violates Educator Standards outlined in R277-217.

## **LEA RESPONSIBILITIES**

To ensure required information about compliance can be reported to the state board consistently and reliably, Internal Audit has developed a survey that LEAs must use to provide the required summary and updates. Let's walk through the survey briefly, noting that when the word "response" is used in the survey, it means "summary" or "update" as applicable.

The first few items in the survey document the LEA name and basic information about the individual at the LEA completing the survey, including both a phone number and email address, to ensure Internal Audit will know who to communicate with about the hotline and LEA response, if needed.

### **Response Form**

The next question will ask for the Hotline number assigned by Internal Audit that the LEA is providing a response for. This is to ensure that the LEA is credited with providing the survey response.

The hotline number should be provided in the format **H-####**.

Where can you find this number? It is generally included in the subject line of the referral email from Internal Audit. It is also included in the body of the referral email.

Internal Audit recognizes that there are times when several related hotline complaints are submitted near the same time about the same concerns. In such cases, a separate survey response for each hotline is not necessary simply include all hotline numbers in the box, using the same format for the hotline number, with each hotline number separated by a comma.

On the other hand, if the LEA representative is providing a response for multiple hotlines that are unrelated, a separate survey must be completed for each hotline.

### Response Form (Closed or Open)

A critical question in the survey, given applicable timelines for reporting, is the question asking the status of the Hotline being reported on. There are two options:

- Closed – meaning an investigation has been completed, or
- Open – meaning the investigation is in-process

### Response Form (Open – 30)

If the status is “Open,” the survey provides a reminder that a 30-day update will need to be submitted and the LEA should document that date to ensure the update is submitted in a timely manner.

With an investigation in-process, an LEA does not have to provide details yet; however, there is a text box to include information, if desired. For a response with an Open status, that’s it, the survey can then be submitted, and nothing further is needed until the 30-day update is provided.

### Response Form (Closed – Allegation Conclusion)

If the status is “Closed,” some additional information is needed; however, it also means, a 30-day update will not be needed.

Before discussing the ways to provide the information needed, there is a question to document if any of the allegations included in the concern were substantiated during the LEA investigation. Options for this question are:

- Yes: at least 1 allegation was substantiated, or
- No: no allegations were substantiated.

Providing this information will help Internal Audit be able to quickly filter information for reporting purposes.

### Response Form (Closed – Detail Response Options)

The next question is to select how the LEA would like to provide additional details about the hotline and the investigation. There are a couple of options, entering information in a text box or uploading a document.

First, there is a text box option that allows for manual entry of information, or you can copy and paste the requested information from LEA documentation into the text box.

The second option is to upload an attachment or attachments. If you choose this option, you are required to attach a document or you will not be able to submit the response.

The reason for the second option is that an LEA may have a standard form or template it uses to document investigations and uploading that document would be efficient for the LEA.

If an LEA does not have such a document, Internal Audit has created a generic template—sort of a coversheet—to document the elements that should be included in the response. This document is available on Internal Audits website, see the Trainings tab.

You can also choose both options if you want to provide some comments as well as supporting documentation.

Please be aware that there are limitations on the number of files that can be added and there may also be file size restrictions. If the LEA has documentation that exceed size restrictions, additional attachments should be sent via email to [audit@schools.utah.gov](mailto:audit@schools.utah.gov) or the LEA may contact Internal Audit to make other arrangements.

### Information Being Requested

Each response must include the following items, regardless of submission method:

First, the Code, Rule, or Policy reference related to the allegation. This may require some research on the part of the LEA because individuals submitting complaints do not always include the reference when they report a concern. However, it is a critical piece of information when determining if a violation has occurred.

Next, please include a summary of the allegation or allegations, meaning what is the alleged violation of Code, Rule, or Policy.

Finally, please include the conclusion drawn after investigating. Meaning, for each allegation, was the allegation:

- substantiated,
- partially substantiated, or
- unsubstantiated

That specific terminology for the investigation conclusion should be used to ensure consistency in reporting to the state board.

### Certifications

After providing details about the allegations and investigation conclusion, an LEA will be asked four final questions.

The first is if the LEA “Established ”on the home page of the LEA website and each school's website: a readily accessible local education hotline; or a link to the USBE public education hotline” to “allow individuals to report alleged violations” (see R277-123-7(3)(a)).

The second is if the LEA “Investigated the Hotline complaint in accordance with “due process, LEA process, and the law” (see R277-123-7(8))”

The third is if the LEA “Established “a policy outlining how the LEA responds to and resolves hotline complaints” (see R277-123-7(5))”

The final question is if the LEA “referred concerns to applicable authorities—such as UPPAC, DCFS, and law enforcement—consistent with mandatory reporting requirements” if applicable.

### **Submit the Response**

After completing this question, click on the “submit” button and the survey responses will be sent to Internal Audit.

The individual submitting the response should receive an email confirming that the response was submitted, as well as a copy of the submitted response.

If you do not receive a confirmation, you may contact Internal Audit by sending an email to [audit@schools.utah.gov](mailto:audit@schools.utah.gov).

### **RECAP**

At this point, we have covered many of the provisions of R277-123. Here is a recap of a few items, as well as some tips and suggestions:

- All of us are subject to accountability for our respective roles and responsibilities within public education—and there are new requirements to show this.
- Maintaining a hotline is a requirement at the state and local level; at the local level you can choose to have your own hotline OR link to the state’s Public Education Hotline. Make sure the hotline is:
  - readily accessible on your LEA and each school’s website and
  - that it can receive any type of concern that may be reported.
- Policies and procedures to respond to and resolve concerns that are received are required.
- Internal Audit will generally refer hotline complaints back to LEAs (think local control), as well as to other appropriate parties, for resolution. When a referral to an LEA occurs, a response must be provided to Internal Audit according to applicable timeframes and using the response form link provided.
  - Generally, there is a 45-day response window, but there are circumstances when the response window is 14 days.

### **The Public Education System – It Takes All of Us**

R277-123 was established to meet requirements in Utah Code and has many requirements in and of itself. That said, there is a way to limit the need to meet these requirements and that is by establishing an effective internal control system.

What does that mean? It means by knowing and understanding laws, rules, and policies related to public education; establishing policies, procedures, and tools; and monitoring for accountability to ensure laws and policies are complied with, you can avert many concerns from arising in the first place.

Internal Audit recognizes that with over 1700 pages of state law related to public education, this is a mammoth task. And it is a task that certainly cannot be managed by one person, one board, nor one administrative team – it will take all of us, including all personnel at your LEA. These efforts will then show accountability to the trust we have been given.

Additionally, don't underestimate how important communication is. Prioritizing professional and timely communication reflects the values of public education—that we are accountable and are committed to serving our students and communities. And communication mitigates individuals escalating concerns to the hotline or beyond.

Is communication really that important, you may ask? Here is an example of a response we received on the Public Education Hotline after a referral back to the complainant:

*“Dear Person Who Took the Time To Write Such a Thorough Response To My Last Email,*

*You are my hero! Thank you so much for your response to my inquiry email. I'm sure it took so much time out of an already busy day...In short, THANK-YOU!!”*

Communication does make a difference.

If you have questions, comments, or concerns OR are interested in further training on hotlines or establishing an effective internal control system, please let us know.

Thank you for your active participation in this training. Related documents are available on our website, [www.schools.utah.gov/internalaudit/index#Trainings](http://www.schools.utah.gov/internalaudit/index#Trainings).