

<b>UTAH STATE BOARD OF EDUCATION POLICY</b>
Policy Number: 2005
Policy Name: Complaints Against Individual Board Members
Date Approved: May 1, 2025

1. By this policy, the Utah State Board of Education (the Board) establishes the following internal rules and procedures for review of complaints received against individual board members.

- a. When the USBE Internal Audit department (Internal Audit) receives an allegation on the Public Education Hotline about an individual board member, in accordance with Rule R277-123 and as needed, Internal Audit shall follow up with the complainant to request additional information supporting the allegation.
- b. If a complaint is received under Subsection 1.a., Internal Audit shall notify the Respondent Boardmember and Board leadership of the nature of the allegation without identifying the identity of the complainant.
- c. Internal Audit shall complete a preliminary analysis of the allegation and related supporting information in consideration of the law and Board Bylaws. Internal Audit may consult with USBE Assistant Attorneys General (AAGs) both as it begins its preliminary analysis of a complaint and throughout the review process.
- d. If sufficient merit is found warranting further review of the allegations, Internal Audit shall refer the preliminary analysis to Board leadership, including the allegation and related supporting information.
- e. If Internal Audit does not find sufficient merit to the allegation to refer the preliminary analysis to Board leadership, Internal Audit shall notify the Respondent Boardmember and Board leadership that the specific allegation should be permanently closed.

- f. If received with merit, Board leadership shall review the referred allegations and analysis considering the criteria set forth in Board Bylaws Article IV.12.
- g. Board leadership may request Board AAGs to review the preliminary analysis or investigate.
- h. If Board leadership determines there is sufficient merit to an allegation of a violation of law, Board bylaws, or other conduct which tends to injure the good name of the Board, Board leadership shall:
  - i. provide the Respondent Boardmember a copy of the allegation with related supporting information; and
  - ii. request that the Respondent Boardmember provide a response with applicable supporting information, such as emails, names of witnesses, social media posts, etc., within 14 days.
- i. If appropriate, Board leadership, may discuss or mediate the allegation with the respondent Boardmember at any time.
- j. Board leadership shall provide the information received in conjunction with Section 1. d. and Subsection 1. g ii. and any proposed resolution reached through mediation under Section 1.h. to the full Board for discussion in an executive session of a Board meeting.
- k. Should the complaint be decided by the full Board, the following shall apply:
  - i. Board staff shall provide a confidential list that describes each specific allegation to be decided by the full Board.
  - ii. Board staff shall provide a confidential packet, inclusive of all materials to be used during executive session by USBE and the Respondent Boardmember:
    - 1. Board leadership has an affirmative duty to include all exculpatory information and materials and additional information provided by the Respondent Boardmember in the packet.

2. Board staff may supply video content through a link included in the packet.
3. Board members may not consider materials or information not included in the packet during executive session.
4. Board leadership shall provide a copy of the packet to the Board member with allegations pending no later than one week prior to the executive session where the matter will be heard. Board leadership may make additional edits to the packet up to 48 hours prior to executive session.