

| <b>Internal Policies and Procedures of the<br/>Utah State Board of Education</b> |  |
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| <b>Policy</b>  | 04-18                                      |
| <b>Subject</b>   | Authorized Personal Use of Public Property |
| <b>Date</b>  | April 1, 2022                              |
| <b>Policy Owner</b>  | Director of Human Resources                |
| <b>Policy Officer</b>  | Deputy Superintendent of Operations        |
| <b>References</b>  | Utah Code section 76-8-101(5)              |

**I. PURPOSE AND SCOPE:**

1. This purpose of this policy is to provide public servants guidance as to authorized personal use of public property, as defined in Utah Code section 76-8-101(5), to help them avoid unintentional violations of Utah Code sections 76-8-402 and 404, Offenses Against the Administration of Government. Criminal penalties for violation of Utah Code section 76-8-402 range from a class C misdemeanor to a second-degree felony.
2. A public servant is not guilty of a violation of Utah Code section 76-8-402 for authorized personal use of public property.
3. This policy constitutes a “written policy of the public servants' public entity” for purposes of Utah Code section 76-8-402(1)(a)(iii). For purposes of this policy, “public servants” will be referred to as “employees.”
4. This policy applies to all USBE employees.
5. This policy relies on the following definitions:
  - a. *Public Servant:* A public officer, an appointed official, employee, consultant, or independent contractor of a public entity, or a person hired or paid by a public entity to perform a government function.
  - b. *Public Property:* Real or personal property that is owned, held, or managed by a public entity.

**II. POLICY:**

1. Employees are responsible to protect and conserve government-owned or leased property and use official time in an honest effort to perform official duties.
2. This policy does not grant to employees or create an inherent right to use government resources, and one should not be inferred.
3. The privilege to use public property for personal purposes may be limited or revoked at any time by an appropriate DHRM manager or supervisor (e.g., a supervisor in the employee’s organizational chain of command).

**III. HISTORY:**

This policy was originally adopted on April 1, 2022.