

| UTAH STATE BOARD OF EDUCATION POLICY | |
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| Policy Number: | 2005 |
| Policy Name: | Complaints Against Individual Board Members |
| Date Approved: | |

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 Board member 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. [Article IV.12].
 - d. If [appropriate] Internal Audit finds sufficient merit for 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 subject Board member that the matter is closed.
 - f. Board leadership shall review the referred allegations and analysis considering the criteria set forth in Board Bylaws Article IV.12.
 - g. Board leadership may, within its discretion, instruct agency legal counsel to complete additional investigation.

- 26 h. Within 14 days of a complaint being referred to Board leadership, if Board
27 leadership determines ~~there is sufficient merit to~~ an allegation ~~[will move~~
28 ~~forward]~~ of a violation of law, Board bylaws, or other conduct which tends
29 to injure the good name of the Board, Board leadership shall:
- 30 i. provide the individual board member a copy of the allegation with
31 related supporting information; and
- 32 ii. request that the individual board member provide a response with
33 applicable supporting evidence within 14 days.
- 34 i. Board leadership may offer a Board member an opportunity to mediate a
35 resolution to a complaint.
- 36 i. A Board member must agree to mediate within 72 hours of being
37 offered mediation by Board leadership.
- 38 ii. A mediated agreement is subject to approval by the full Board.
- 39 j. Board leadership shall provide the information received in conjunction with
40 Section 1. d. and Subsection 1. g ii. and any resolution reached through
41 mediation under Section 1.h. to all Board members for discussion in an
42 executive session of a Board meeting.
- 43 k. A Board member shall be afforded due process through the opportunity to
44 address any allegations in writing as provided under Subsection 1.g, ii and
45 through an oral statement to the Board.
- 46 l. ~~[In response to]~~ Following a discussion in executive session, ~~[board~~
47 ~~members]~~ the Board may authorize action consistent with Board Bylaws
48 Article IV.12(a)-(g).
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