

Agency: UTAH STATE BOARD OF EDUCATION

Request Title: *UPPAC Critical FTE Funding Request 2026*

Purpose Statement: *UPPAC is experiencing large growth in referrals and cases opened for allegations of educator misconduct. Given the growing number of UPPAC referrals, UPPAC staff is struggling to keep up with investigations into educator misconduct. UPPAC requests funds to hire a third full time attorney on an ongoing basis to bring the attorneys' pay rates to a more competitive level.*

What is the nature of your request?

Select one:

POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.

FUNDING REQUEST – You are seeking new or additional financial resources to support a program/service for education.

BOTH POLICY and FUNDING – You are proposing a new program or expansion of an existing program that will require new/amended state code and financial resources.

Questions? Please contact:

Greg Connell (Greg.Connell@schools.utah.gov) for questions related to a policy request.

Current Funding for FY 2026: *(Provide current year funding differentiating one-time and ongoing funding for the program.)*

FY 2026 Ongoing Funding = 3.5 FTEs (2 attorney/investigators, one support staff, .5 FTE towards salary of director)

FY 2026 One-Time Funding = We are currently planning to use carry forward funding for 1 attorney/investigator FTE for FY 2026

Projected Results: *(Provide 1-2 bullets on how the policy/funding request would lead to a measurable outcome in the K-12 education system (ex. performance measure).)*

- Additional staff would lead to shorter investigation times for educators with misconduct allegations.
- Additional staff help ensure the state's classrooms are protected and that appropriate discipline is taken against educators when necessary.

Rationale: *UPPAC has experienced large increases in reporting and the number of opened cases. Additional staff are needed to handle these cases.*

If not funded/approved: *Investigative times will be delayed and necessary discipline may also be delayed.*

USBE Lead Point of Contact:

Name: Ben Rasmussen
Email Address: ben.rasmussen@schools.utah.gov
Phone Number: 801-538-7835
USBE Section: Law and Professional Practices

Additional USBE points of contact (as needed):

Name:
Email Address:
Phone Number:
USBE Section:

Deputy Superintendent Name: Elisse Newey
Email Address: elisse.newey@schools.utah.gov
Phone Number: 801-538-7550
USBE Section: Policy

FUNDING REQUEST

This section only needs to be completed if you are seeking new or additional funding.

Board Action for Request: (Date/Board Item/Committee)

- 1. Summarize the request, the specific problem it will solve, and how it will solve the problem.**

Given the increase in caseload, UPPAC is requesting funding for 2 new FTEs ongoing and additional funding for a market increase to make staff attorney salaries competitive with comparable positions in the state.

- 2. Amount Requested:**

Funding Source	Amount (\$)
FY 2027 one-time funding	\$
FY 2027 ongoing funding	\$404,200
TOTAL funding requested	\$404,200

- 3. Provide an itemized budget, including revenue and expenditure sources, for how the funding will be utilized.**

Specifically, this request is for \$341,200 for 2 FTEs and \$63,000 for a market increase for the attorneys, including the 2 new FTEs requested that would be potentially funded.

Funding Source(s):

Cost Category	FY 2026 (<i>Current fiscal year</i>)	FY 2027
<u>Personnel Services</u>		\$404,200
Travel/In State	\$	\$
Travel/Out State	\$	\$
Current Expenses	\$	\$
Data Processing Current Expenses	\$	\$
Data Processing Capital Outlay	\$	\$
Capital Outlay	\$	\$
Other Charges/Pass Through	\$	\$
Transfers	\$	\$
Other	\$	\$
Total	\$	\$
NEW USBE FTEs being requested as part of the funding request	FY 2026 (<i>Current fiscal year</i>)	FY 2027
<u>NEW USBE FTEs</u>	0	2

4. To what extent is this request scalable? Articulate the impacts if lower funding amounts were provided for this request.

It is harder to recruit qualified attorneys for temporary work. One time funds could help to a limited extent, but if less than a full ongoing FTE is funded, it will be hard to keep up with an ever increasing caseload. 1 new FTE is

needed to maintain the status quo. The additional FTE is needed to help with the increasing number of cases referred to UPPAC.

5. What has been done or considered to address this problem with existing resources, instead of requesting additional state funding?

The Board has adopted rules that allow us to expedite certain cases, which requires fewer attorney resources for those cases. This is helping with a number of less serious cases.

6. Summarize the current budget for the project or program that is being funded. If this is a new project or program, summarize resources that are available for like-objectives within USBE.

N/A

7. Does this request create any future funding obligations (operations and maintenance, multi-year scale up, etc)?

No.

8. Describe how the funding case supports the goals and metrics of the USBE Strategic Plan.

Adequate UPPAC staffing is necessary to deal with threats to students that may arise and helps ensure educators that have problems in one LEA don't go on to repeat the problem in other places. We need to be able to recruit and retain good attorneys to address concerns over misconduct.

9. What value will additional resources create for Utah? What performance measures for that value will be reported or are already reported?

There have been many concerns expressed that the current investigative process takes too long. The best way at this stage to uniformly process more cases is additional staffing. Likewise, in order to keep staff on the job, we need to make the salary more competitive with the market.

10. Provide details, sources, research, and analysis to which forms evidence-basis for this request or the associated program (e.g, cost

benefit analysis, program evaluation, results from pilot program, etc).
N/A

11. Which populations or geographic areas will benefit most from this request? What safeguards will be implemented to prevent inequities or other unintended distributional consequences as it relates to this request?

N/A

12. Which stakeholders have you engaged and coordinated with during the development of this request?

N/A

Last Step: When the Legislative Request Form is complete and has been reviewed by your Deputy Superintendent, email Greg Connell (Greg.Connell@schools.utah.gov) to inform him the request is ready for next steps.