

State-Required Hotline Training

Implementing Utah Admin. Code R277-123

Obligation to Train Board Members and Administrators

Officers of governing boards have the responsibility to ensure that members of the governing board and the administration are provided with this training on the requirements of Utah Admin. Code R277-123.

Role of the Utah State Board of Education

The role of the USBE is “general control and supervision” over public education in Utah in accordance with the Utah Constitution.

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

The USBE also has enforcement authority which includes requiring LEAs to complete correct action plans, to withhold state funds, and to require an LEA to pay a penalty.

LEA Governing Boards

- Each LEA is governed by a local governing board which has powers and duties as outlined under Utah law.
- Each LEA must comply with the laws that are applicable to them.

Role of Charter Authorizers

The State Charter School Board, a district LEA board, or the board of an institution of higher education 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

- Utah Attorney General's Office (Open and Public meetings Act enforcement)
- Local County Attorneys (Open and Public meetings Act enforcement)
- Law Enforcement
- Health Departments
- Safety and Building Codes
- Utah System of Higher Education
- Office of Civil Rights

Public Education Accountability

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

Utah Admin. Code R277-123 provides for a state Public Education Hotline as well as the option for an LEA to provide their own local education hotline.

Provisions in the Rule

The Public Education Hotline is the **State level** hotline process.



The Local Education Hotline is an **LEA level** hotline process.

Reporting a Concern

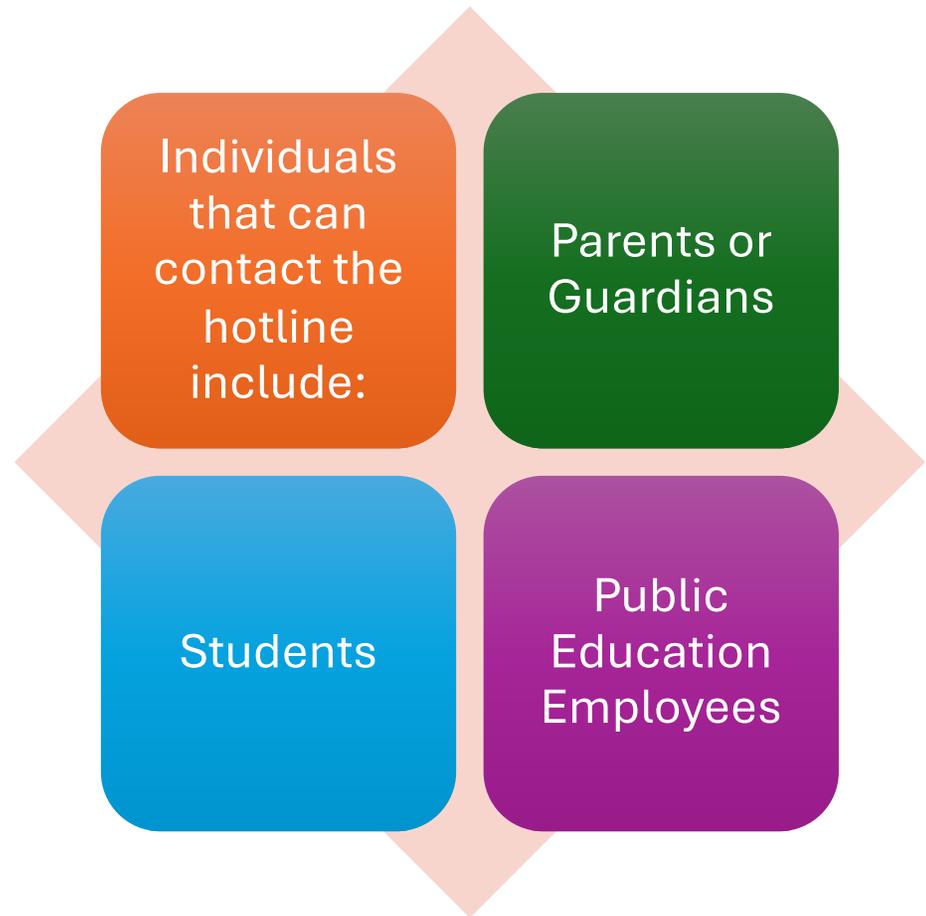
Anyone can report a concern about public education on the Public Education Hotline, which provides for several methods for reporting, such as:

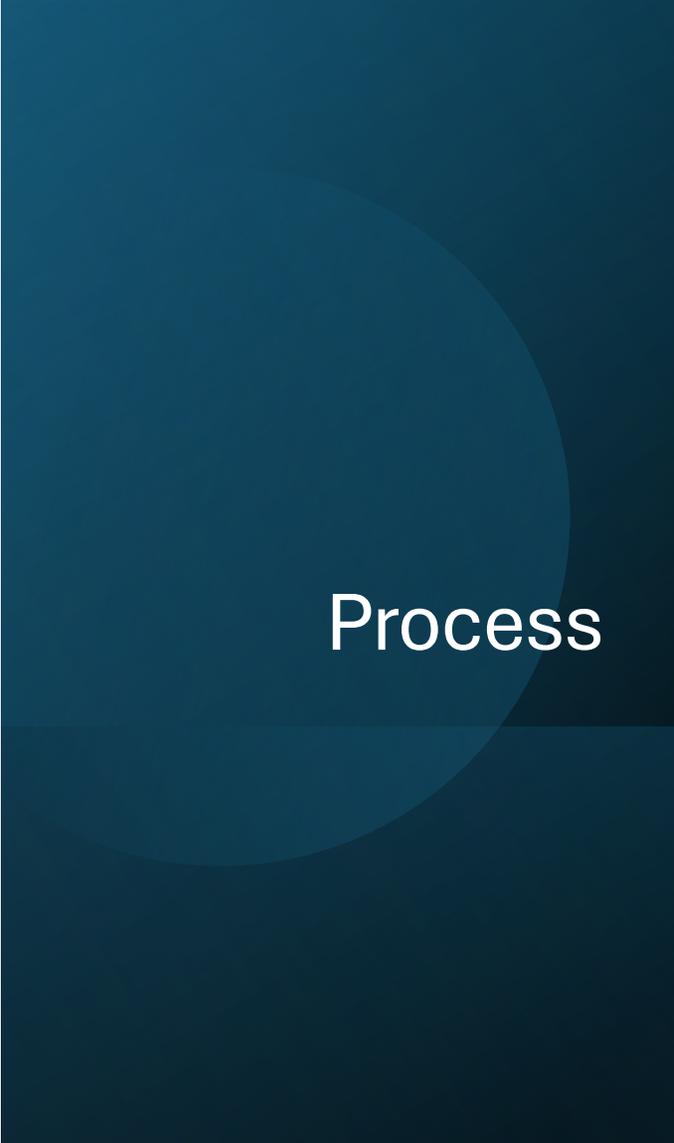
An email

A survey form

A phone call

Internal Audit Categories

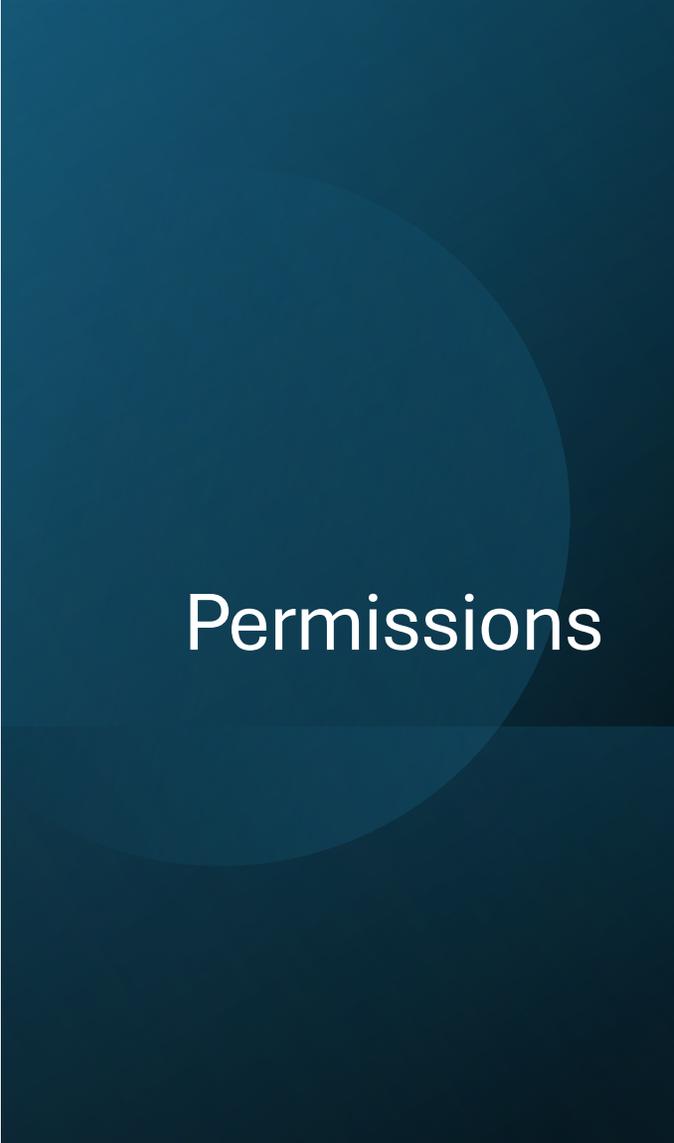




Process

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

USBE Internal Audit classifies each concern with one of three permissions to follow.



Permissions

Public – meaning the individual submitting the concern did not request to be confidential.

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

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

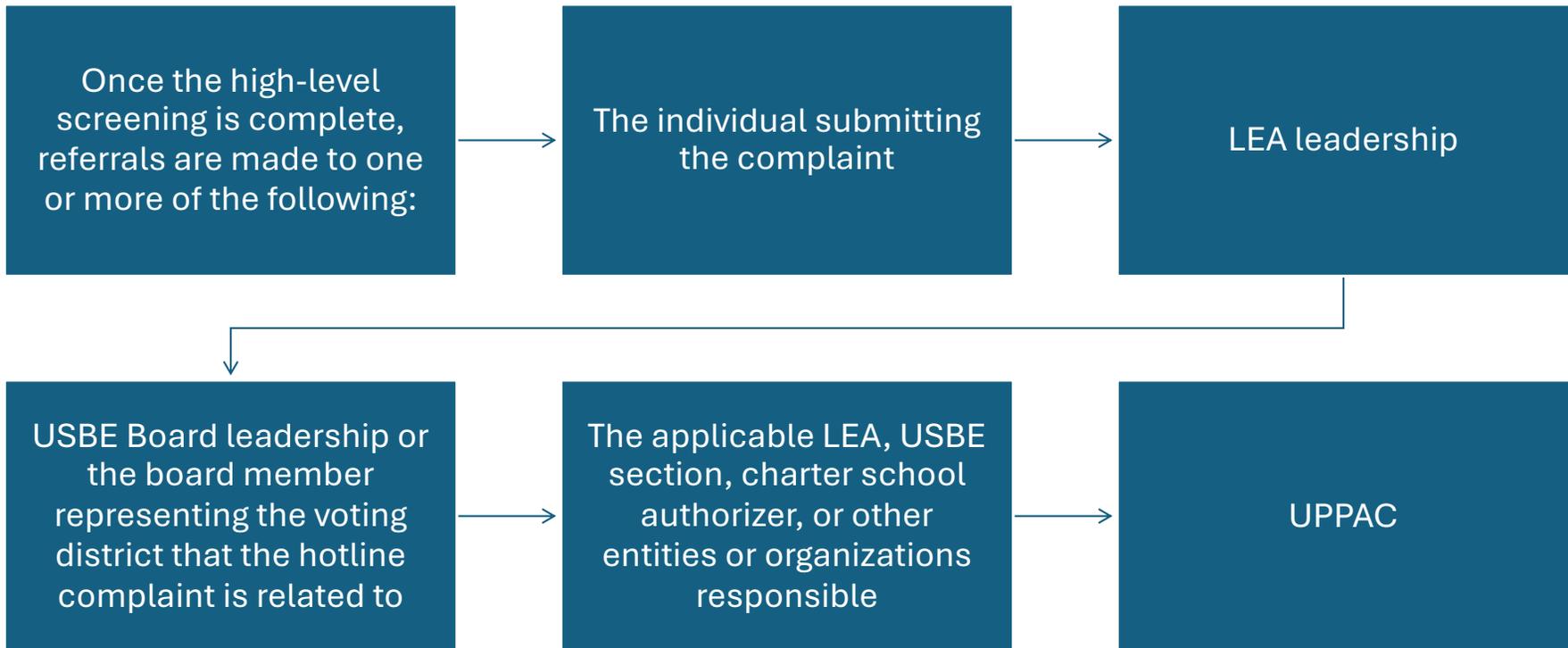
Internal Audit Responsibilities

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 the entities who have the authority to investigate and resolve the complaint.

Referral



Referral to LEA Governing Board

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 of a school district or the executive director of a charter school.

If a complaint includes allegations against an individual who would normally receive the referral, that individual will be excluded from the referral.

LEA Requirements

Each LEA must allow individuals to report concerns in accordance with Utah Admin. Code 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 Public Education Hotline on its website/s, the LEA is also required to include a prominent notice.

Prominent Notice

“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 principle that most concerns should be resolved at the local level.

Required Policy

Each LEA 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 USBE Internal Audit.

LEA personnel at all levels need to be aware of the LEA's policy and procedures and have access to a written version of that policy.

An LEA must provide training on the policy and ensure accountability for noncompliance.

Contacting Individuals Submitting a Concern

An LEA is required to promptly contact the individual submitting a concern if their contact information is available.

The LEA must document the personnel that contacted the individual submitting the complaint.

The LEA must document the type of contact made – a phone call, email, in-person

The LEA must document the date of contact.

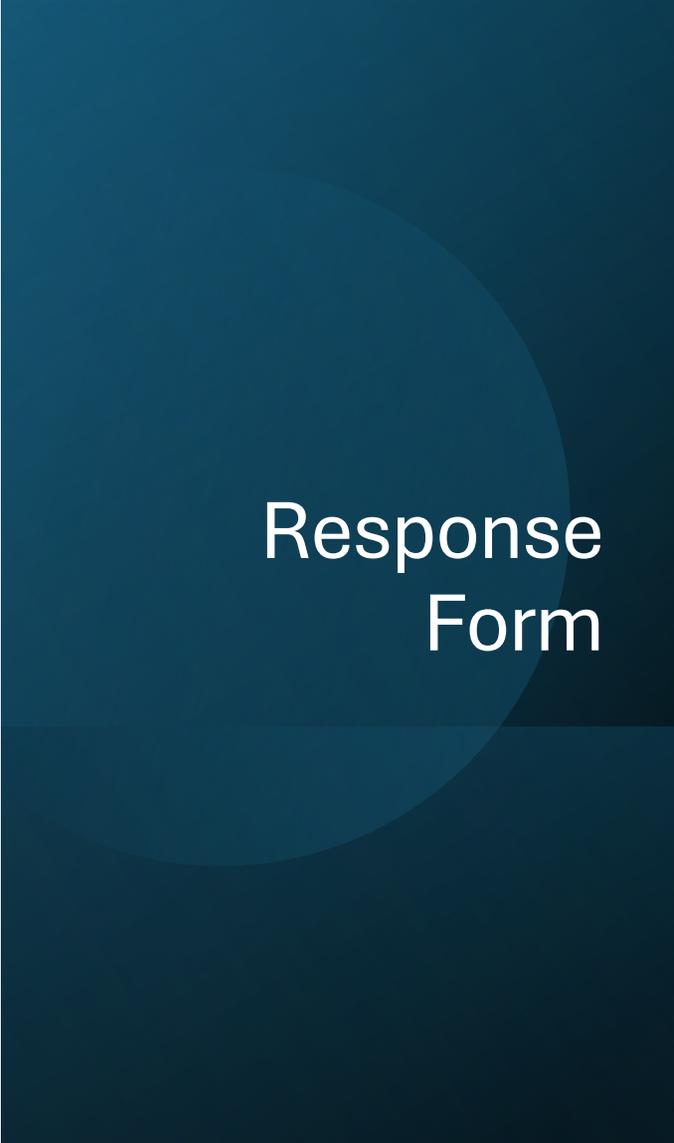
The LEA must document the resolution of the concern or action steps to be taken.

Contact Attempts and Process

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 Utah law.

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.



Response Form

Hotline complaints are typically sent to the LEA governing board and administration.

The response to the complaint is provided in a form through a link given by the USBE.

The response is provided in survey format that includes all elements required by law.

A separate survey must be completed for each complaint.

Conclusion

Maintaining a hotline is a requirement at the state and local level.

At the local level, an LEA can choose to have its own hotline or link to the USBE's Public Education Hotline.

An LEA must make sure that the hotline link is readily accessible on the LEA website and each school's website.

An LEA must ensure that it can receive any type of concern that may be reported.

Conclusion Cont.

- Policies and procedures to respond to and resolve received concerns are required.
- Internal Audit will generally refer hotline complaints back to the LEAs, as well as to other appropriate parties, for resolution.
- When a referral to an LEA occurs, a response must be provided to USBE 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 as short as 14 days.