~~Red Text~~ – Deletions
Blue Text – Additions

Draft 2
August 7, 2026

R277. Education, Administration.

R277-117. State Board Member Ethics

R277-117-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which authorizes the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law;

(c) Section 53E-3-1309, which requires public access to State Board member conflict of interest disclosures; and

(d) Section 53E-3-1315, which requires the Board to develop and maintain an ethics training course for Board members.

(2) The purpose of this rule is to:

(a) establish procedures for implementing Title 53E, Chapter 3, Part 13;

(b) establish requirements for the administration of the Board's ethics training program;

(c) establish procedures for administering conflict of interest disclosures; and

(d) identify the Superintendent's administrative responsibilities under Title 53E, Chapter 3, Part 13.

R277-117-2. Definitions.

(1) “Code of Official Conduct” means the standards of conduct established in 53E-3-1302.

(2) "Conflict of interest disclosure" means the disclosure required under Title 20A, Chapter 11, Part 16.

(3) "Ethics training course" means the course required by Section 53E-3-1315.

R277-117-3 Ethics Training.

(1) The Superintendent shall develop, maintain, and make available the ethics training course required by Section 53E-3-1315.

(2) Each Board member shall complete the ethics training course annually as required by Section 53E-3-1315.

(3) The ethics training course shall include instruction regarding:

(a) the Code of Official Conduct;

(b) conflicts of interest and financial disclosure requirements;

(c) confidentiality requirements;

(d) public meetings requirements;

(e) the appropriate use of Board resources; and

(f) other ethics requirements established in state law, Board rule,Board Bylaws or federal law applicable to Board members.

(4) The Superintendent shall:

(a) maintain records and documentation of annual completion; and

(b) notify Board members of annual training requirements.

R277-117-4 Conflict of Interest Disclosures.

(1) The Superintendent shall maintain a publicly accessible link on the Board's website to each Board member's current conflict of interest disclosure.

(2) The Superintendent shall ensure that an oral conflict of interest declaration made by a Board member during a Board meeting is accurately reflected in the meeting minutes.

(3) The Superintendent shall periodically verify that conflict of interest disclosure links remain current and functional.

R277-117-5 Ethics Commission

(1) The Independent Ethics Commission (The Commission) established under Section 53E-3-1303 is responsible for reviewing ethics complaints filed against Board members.

(2) The Commission consists of the following members, who shall be nominated by Board leadership, and appointed by the Board in accordance with Section 53E-3-1303:

(a) two former judges;

(b) two former Board members; and

(c) one former school district superintendent or charter school director.

(3) The Commission shall:

(a) review ethics complaints accepted under Title 53E, Chapter 3, Part 13;

(b) conduct investigations, issue subpoenas, and hold evidentiary hearings in accordance with Sections 53E-3-1310 and 53E-3-1311;

(c) determine, based on a preponderance of the evidence, whether an alleged violation is substantiated;

(d) prepare written findings and recommendations for the Board; and

(e) carry out other duties assigned in Title 53E, Chapter 3, Part 13.

(4) If the Commission determines that an allegation is substantiated, the Commission shall refer its findings and recommendations to the Board to determine appropriate disciplinary action or sanctions.

(5) The Board shall review the Commission's findings of fact and recommendations to make the final determination on whether a violation occurred and what administrative consequences or sanctions, if any, are authorized and warranted in accordance with Section 53E-3-1313, Board Bylaws Article IV, and applicable Board Policy.

(6) Actions taken by the Board under Subsection (5) may include:

(a) issuing a public resolution of censure by majority vote;

(b) restricting committee assignments, agenda placement privileges, or advisory committee participation by a two-thirds vote of the Board in accordance with Board Bylaws; or

(c) taking other administrative or corrective action authorized by law or Board Bylaws.

(7) Nothing in this rule alters the authority or responsibilities of the Commission or the Board established in Title 53E, Chapter 3, Part 13.

R277-117-6 Administrative Responsibilities.

(1) The Superintendent shall:

(a) administer this rule;

(b) maintain records required by this rule;

(c) administer the Board's ethics training program;

(d) maintain conflict of interest disclosure information required by law;

(e) provide administrative support to the Ethics Commission as required by Title 53E, Chapter 3, Part 13; and

(f) provide administrative support necessary for Board review of ethics complaints.

(2) Nothing in this rule alters:

(a) the complaint procedures established in Title 53E, Chapter 3, Part 13;

(b) the authority of the Independent Ethics Commission;

(c) the disciplinary authority of the Board; or

(d) the constitutional authority of the Legislature regarding impeachment.

(3) This rule shall be interpreted consistently with Title 53E, Chapter 3, Part 13.

KEY: State Board of Education, board members, ethics, ethics commission, code of conduct, conflicts of interest, ethics training, financial disclosure

Date of Enactment or Last Substantive Amendment:

Authorizing, and Implemented, or Interpreted Law: Art. X Sec. 3, Utah Constitution; Sections 53E-3-1309, 53E-3-1315, 53E-3-401.