

USBE Legislative Request Form

(Policy, Funding, & Efficiency / Reductions)

2027 General Session

SECTION 1: THE BOTTOM LINE

Request Title: Repeal Utah Code § 53E-6-604(6) - LEA UPPAC Reporting Requirements

USBE Lead Point of Contact:

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- USBE Section: Policy

Nature of Request (Select all that apply):

☒ **Policy Change:** Creating, amending, or repealing Utah State Code.

☐ **New/Increased Funding:** Seeking new financial resources.
(Complete Section 3)

☒ **Efficiency / Reduction:** Proposing the elimination or reduction of a program, mandate, or funding stream.

Purpose Statement (BLUF - Bottom Line Up Front):

This request repeals Utah Code Subsection 53E-6-604(6) to remove a statutory double-reporting mandate imposed on Local Education Agencies (LEAs) for unverified parent complaints. Repealing this subsection shifts governance over complaint reporting directly to USBE Administrative Rule, enabling the Board to nimbly adjust reporting thresholds, timing, and

required documentation in response to fluctuating UPPAC caseloads while eliminating redundant administrative burdens on local school leaders.

SECTION 2: THE BUSINESS CASE

The Problem:

Utah Code § 53E-6-604(6) currently requires LEAs to report preliminary, unverified parent complaints directly to the Utah Professional Practices Advisory Commission (UPPAC) and USBE, regardless of whether local administrators have had the opportunity to conduct basic fact-finding or verify the complaint's merit. This creates a statutory double-reporting mandate: LEAs expend substantial administrative hours filing reports on raw or frivolous complaints, which in turn adds to UPPAC's intake pipeline. Because these reporting mechanics are locked into statute, the Board cannot adjust reporting triggers, deadlines, or documentation standards via administrative rule to reflect operational realities as they shift and change.

The Source:

Law & Licensing Committee Motion - July 2026

Projected Results:

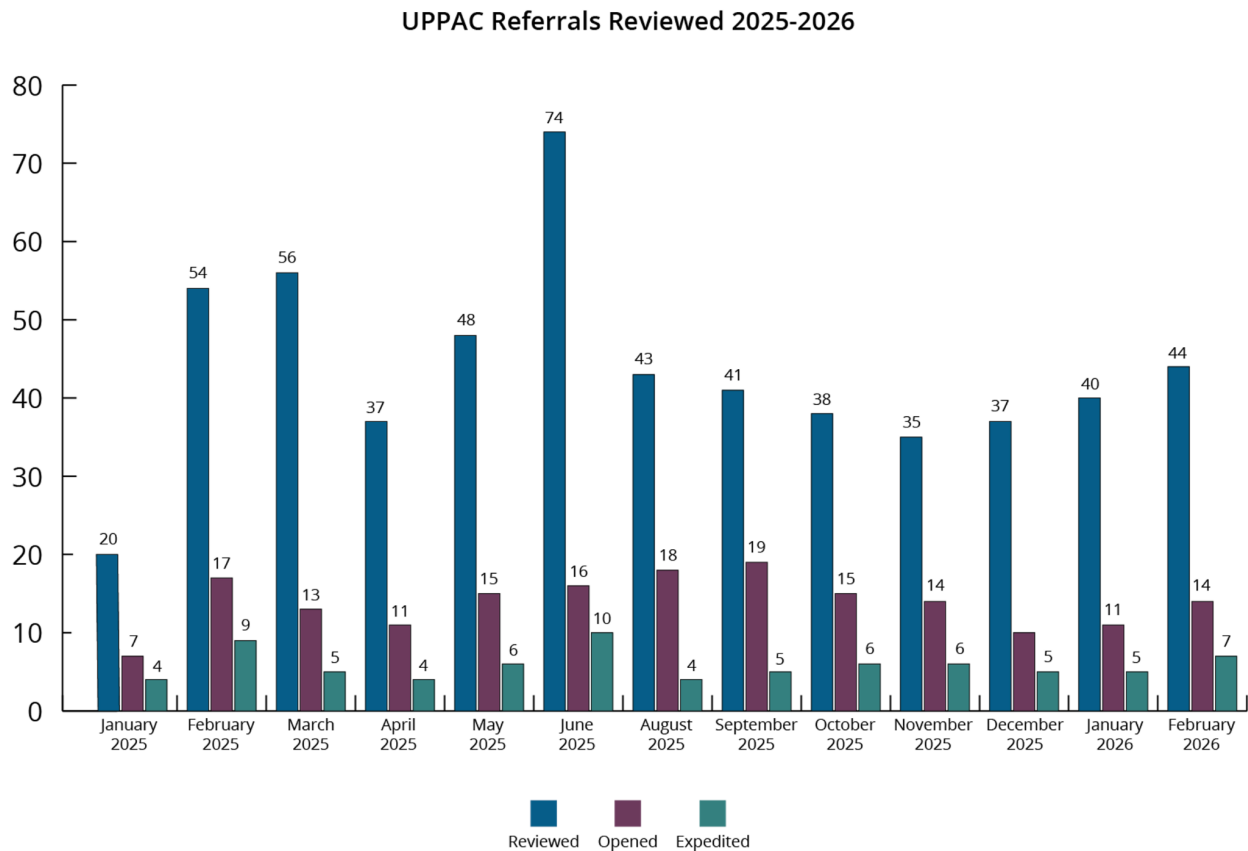
1. Targeted UPPAC Caseload Efficiency
2. LEA Administrative Time Savings
3. Greater flexibility for USBE to adapt rules as UPPAC landscape changes

Consequence of Inaction:

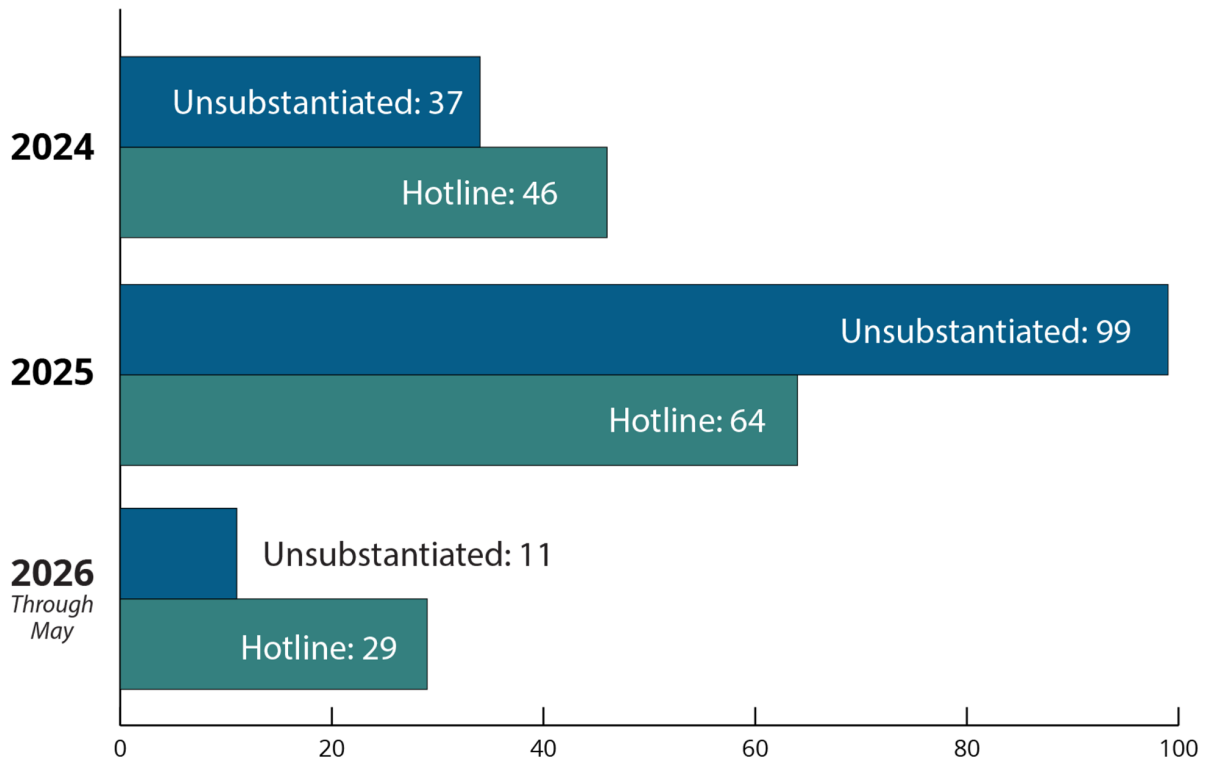
If this request is not approved, LEA administrators will remain statutorily required to report every parent complaint to state investigators prior to completing local due process or fact-finding. UPPAC's administrative backlog may continue to expand with unverified claims, delaying state investigations.

Evidence & Data:

UPPAC intake data reveals that a percentage of incoming reports filed under § 53E-6-604(6) are dismissed at initial screening due to lack of evidence or because the matter was resolved locally without finding rule violations. Aligning reporting triggers within USBE Administrative Rule (R277-210 through R277-217) reflects national licensing best practices, ensuring local due process while maintaining strict mandatory reporting for substantiated ethical and legal violations.



Internal Audit Hotline and Unsubstantiated Parent Complaints



SECTION 4: POLICY & STATUTE

Code Sections Affected: *(List specific state code references, or write "New Code")*

- **Utah Code § 53E-6-604(6)** *(Repeal)*
- **Utah Code § 53E-6-604** *(Amend cross-references as needed)*

Suggested Legislative Solution:

Repeal Subsection 53E-6-604(6) in its entirety. Amend Utah Code § 53E-6-604 to remove internal statutory cross-references to Subsection (6), directing LEA reporting protocols to be established by the State Board of Education via administrative rule pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Safeguards:

Potential Concern: Public perception that repealing this statutory subsection weakens mandatory reporting requirements for educator misconduct.

Mitigation: Strict mandatory reporting for criminal conduct, child abuse/neglect, student safety threats, and verified educator misconduct remains fully intact and enforced under:

- **Utah Code Title 53E, Chapter 6** (Educator Licensing and Discipline)
- **Utah Code Title 80, Chapter 2** (Mandatory Child Abuse Reporting)
- **USB E Administrative Rules R277-210 through R277-217** (UPPAC Power, Duties, and Discipline Procedures)