

UTAH STATE BOARD OF EDUCATION

Subject:

ACTION: R277-117, Utah State Board of Education Ethics Amendments (New)

Agenda item type:

Action Item

Recommended Action:

That the Committee approve R277-117, Utah State Board of Education Ethics Amendments, Draft 4, on first reading and forward to the Board for approval on second and final reading.

Purpose of Memo:

Staff recommendation

Background:**Background**

During the 2026 General Session, the Legislature passed H.B. 194 Utah State Board of Education Ethics Amendments. The legislation creates an Independent Ethics Commission, establishes a code of official conduct, outlines procedures for ethics complaints and disciplinary actions, and requires annual ethics training and conflict of interest disclosures for Board members.

R277-117 was a result of that legislation and was presented to the Law & Licensing Committee in August 2026 and then in full board in September 2026. Legal counsel identified some potential legal issues with amendments that were made during the full board discussion. Board Leadership, in collaboration with the AAGs, determined that the rule should be given additional review before filing with the Office of Administrative Rules.

Draft 4 removes Section 6 from the rule, which caused concern to the AAGs. The statute for the commission already contains a provision to address conflicts of interest that may arise for members of the Independent Ethics Commission.

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

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Attachments:

1. R277-117- Draft 4 - October Committee
2. R277-117- Draft 3 - FINAL September 2026
3. R277-117- Draft 2 - September 2026 Full Board
4. R277-117- Draft 1 - August 2026 Committee
5. R277-117 Reporting Burden and Fiscal Impact Estimate Form

