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15

**BYLAWS OF THE  
UTAH STATE BOARD OF EDUCATION**

**ARTICLE I—LEGAL BASIS**

- 1) Article X, Section 3 of the Constitution of Utah creates a State Board of Education vested with general control and supervision of the public education system. “General control and supervision” as used in Article X, Section 3 of the Constitution of Utah means the authority to direct and manage all aspects of the public education system. (53E-3-401(2)).

**ARTICLE II—DEFINITIONS**

- 1) “Ad Hoc Advisory Group” means a time-limited task force, committee, or other work group established by a quorum of the Board or Board leadership, [which may include members as voting participants of the group](#), to work on a specific project.
- 2) “Board” means the Utah State Board of Education ([USBE](#)).
- 3) “Board standing committees” mean the Finance Committee, Law and Licensing Committee, and Standards and Assessment Committee.
- 4) “Conflict of Interest” means an action that is taken by a member that a reasonable person would believe may cause direct benefit or detriment, financial or otherwise, to the member, the member’s immediate family, or an individual or entity that the member is required to disclose under the provisions of 20A-11, Part 16, if that benefit or detriment is distinguishable from the effects of that action on the public or on the member’s profession, occupation, or association generally.
- 5) [“Fiduciary duty” means the duty of a person or entity to act on behalf of another giving rise to a relationship of trust and confidence.](#)
- 6) “Member” means a member of the Board.
- 7) “Quorum” means eight [or more](#) of fifteen voting members. (53E-3-203)
- 8) “Superintendent” means the State Superintendent of Public Instruction or the Superintendent’s designee.
- 9) “USDB” means the Utah Schools for the Deaf and the Blind.

46

47 **ARTICLE III—MEMBERSHIP AND COMPENSATION**

- 48 1) A) Fifteen members of the ~~State Board of Education~~ (Board) shall be nominated and  
49 elected as provided in Title 20A, Chapter 14 Nomination and Election of State and  
50 Local School Boards and Section 53E-3-201(1).  
51 2) Members shall be compensated and receive reimbursement in accordance with:  
52 a) Section 36-2-3;  
53 b) Section 63A-3-106 and 107;  
54 c) Board Policy 2001;  
55 d) Department of Human Resource Management Rules; and  
56 e) Division of Finance Rules.  
57 3) A member may participate in any group insurance plan provided to employees of the  
58 Board as part of the member's compensation on the same basis as required for  
59 employee participation.  
60 4) Salary or expenses may not be paid to a member for work that violates rules of the  
61 Board, as determined by a vote of the Board in consultation with the Attorney  
62 General's Office. (53E-3-204).

63 **ARTICLE IV—MEMBER ETHICS**

- 64 1) ~~Fiduciary Duties~~: The Board, both as a body and as individual members, is ~~often~~ in a  
65 position of trust and ~~must~~ shall act in accordance with appropriate fiduciary  
66 ~~responsibilities~~ duties ~~This~~ including:  
67 a) following all applicable laws and regulations;  
68 b) avoiding conflicts of interest;  
69 c) acting in the best interests of the school children of the state, using powers  
70 and/or resources of public office to promote the public interest rather than for  
71 personal gain or to pursue private interests;  
72 d) ~~providing oversight governance~~ governing with effective and appropriate  
73 oversight to ensure that the public's business is transacted legally and  
74 transparently; and

- 75 e) ~~making decisions to~~ protect~~ing~~ and ~~safeguard~~ responsibly using/disbursing public  
76 education ~~the~~ resources ~~in the Board's care~~.
- 77 2) While members have the right to free~~dom of~~ expression, members shall respect the  
78 privacy of students, USBE employees ~~of the USBE~~, LEA employees, and school  
79 level employees, including refraining from direct and indirect identification of such, in  
80 any public setting, venue, or platform.
- 81 3) Members shall not act in a manner that may cause legal harm or risk to the Board as  
82 determined by the Board's legal counsel.
- 83 4) Members ~~are required to~~ shall comply with Title 67, Chapter 16, Utah Public Officers'  
84 and Employees' Ethics Act and UCA 20A-11-16 Conflict of Interest Disclosures.
- 85 5) Conflicts of Interest:
- 86 a) In Board or committee work or any matter to be voted upon by the Board a  
87 conflict of interest shall be disclosed by a member in the meeting to the members  
88 prior to consideration of the matter.
- 89 i) The committee or Board chair shall acknowledge the member's disclosed  
90 conflict of interest and either:
- 91 A) excuse the member with a conflict of interest from the meeting; ~~or~~  
92 B) excuse the member with a conflict of interest from participating in the  
93 discussion or the vote; or  
94 C) take other appropriate action.
- 95 b) The Chair may disclose a conflict of interest of a member who fails to disclose a  
96 conflict and take any action described in subsection (5)(a).
- 97 c) The Chair may move to the next agenda item if the member with the conflict of  
98 interest refuses to comply with subsection (5)(a).
- 99 6) The Board chair shall excuse a member with a conflict of interest from a closed  
100 session during discussion of any item for which the member has a conflict of  
101 interest.
- 102 7) If a member applies for a position as an employee of the Board or as a Board-  
103 appointed employee of the USDB, the Board member ~~must~~ shall be recused from all  
104 deliberations and voting on the matter.

- 105 8) If a member accepts a position as an employee of the Board or as a Board-  
106 appointed employee of USDB:
- 107 a) it is deemed a conflict of interest with the member's continued service on the  
108 Board and the member shall resign as a condition of employment; and
  - 109 b) If the member does not resign under circumstances identified in Subsection 67-  
110 16-4, the conditional offer of employment shall be revoked.
- 111 9) Each member shall sign a Board Conflict of Interest and Ethics Statement annually  
112 and disclose any of the following interests or activities, as applicable:
- 113 a) Any employment, ownership, or directorship by the member within a public  
114 school district or charter school, or other entity receiving federal or state  
115 education funds, including work as a paid consultant or contractor;
  - 116 b) Any employment, ownership, or directorship by the member with a business or  
117 organization which competes for contracts, grants, or other agreements awarded  
118 by the Board;
  - 119 c) Any membership by the member on a board or committee working under the  
120 authority or supervision of a public school district or charter school within the  
121 state of Utah;
  - 122 d) Any employment, ownership, or directorship by the member with a business or  
123 organization that provides goods or services to the Board, its office, or the USDB;  
124 and
  - 125 e) Any membership by the member in a union, professional association, or formal  
126 involvement in any interest group that lobbies or provides services in an  
127 education-related field.
- 128 10) Members shall sign the Conflict of Interest and Ethics Statement annually, or  
129 whenever employment, interest, or ownership changes, and provide the Conflict of  
130 Interest and Ethics Statement to the Board Secretary, who will post it to the Board's  
131 website.
- 132 11) Member Conflict of Interest and Ethics Statements are public information under  
133 GRAMA.
- 134 12) Once the Board has voted on an issue, the vote reflects the official position of the  
135 Board.

- 136 13) Members may express personal opinions on issues, legislation, and areas of  
137 concern. Individual members should state at the outset of comment or statement  
138 that comments reflect their personal opinions and evaluations and do not represent  
139 the Board's official position.
- 140 14) A member can be reprimanded, or the actions of a member condemned, for any  
141 violation of law, policy, bylaws, or any other conduct which tends to injure the good  
142 name of the Board, by any of the following:
- 143 a) A conversation between the offending member and the Board Chair/Leadership  
144 or Assistant Attorney General;
  - 145 b) A written letter to the offending member from the Board Chair/Leadership or  
146 Assistant Attorney General;
  - 147 c) Censuring the offending member by a vote of the Board;
  - 148 d) Prohibiting the offending member from attending any Board advisory committee  
149 meeting as determined by the Board Chair;
  - 150 e) Prohibiting the offending member from requesting an item to be placed on an  
151 agenda as determined by the Board Chair;
  - 152 f) Removing the offending member from any or all committee assignments as  
153 determined by the Board Chair; or
  - 154 g) Other legal due process.

## 155 **ARTICLE V—ROLE OF THE BOARD AND MEMBERS**

- 156 1) The duties of members shall include the "general supervision and control of public  
157 education" as described in the Article X, Section 3, Utah Constitution.
- 158 2) Statutory duties of the Board and members shall be followed as outlined in Utah  
159 Code ~~including those described~~ as referenced in Appendix A which will be updated  
160 annually.
- 161 3) Other duties as assigned by the Board Chair.
- 162 4) Members promote and advocate for effective public education in the state of Utah.  
163 The role and expectations of members for communications and advocacy include  
164 the following:

- 165 a) Members who post or comment on social media do so in an ethical and civil  
166 manner and provide a disclaimer for any post or interactions that do not  
167 represent the official actions or positions of the Board;
- 168 b) When communicating with the public electronically, by mail, or in person,  
169 members shall use each in an ethical and civil manner and provide a disclaimer  
170 when the communication does not represent the official actions or positions of  
171 the Board;
- 172 c) The roles and expectations on communications and advocacy described in  
173 further detail In Board Policy ; and
- 174 d) Violation of the Board Policy described in subsection (c) is subject to the  
175 consequences listed in Article IV(14).
- 176 e) Members' communications ~~as~~ described in subsection (a) and (b) ~~may~~ shall not  
177 ~~be done in a manner that can~~ place the Board or its staff at risk, ~~and shall not be~~  
178 ~~or in a manner that is~~ critical of an individual or group of individuals that is  
179 ~~determined by Board leadership~~ may be deemed to result in damage as  
180 ~~damaging~~ to their reputation or occupation; and
- 181 f) Members are encouraged to respond in a timely manner to communications from  
182 constituents;
- 183 i) Members may utilize Board staff to assist with drafting ~~any~~ constituent  
184 communications.
- 185 g) Communication ~~to and from~~ involving Members:
- 186 i) When a constituent communication does not identify a member's district,  
187 Board staff will provide a ~~general~~ neutral response acknowledging receipt;
- 188 ii) When a communication identifies a member's district, the applicable member  
189 is encouraged to respond;
- 190 iii) If 25 or more emails regarding the same topic are received, Board Leadership  
191 may approve a standard reply to be sent by Board staff;
- 192 iv) Members may not share pre-meeting materials with the public until such time  
193 that the document or its contents are made public through the established  
194 process;

v) Members may not share or forward to anyone outside of the Board, communications which have been classified as ~~are~~ protected under GRAMA unless or until such time ~~as the Board makes~~ the communication or its contents ~~public~~ have been declassified; and

vi) Members ~~should~~ may not share or forward to anyone outside of the Board, communications that are ~~intended~~ designated as a confidential communication ~~to members until such time as~~ until the Board makes the communication or its contents public.

h) Committees listed in Appendix B are advisory to the Board, therefore members do not attend or participate unless specifically stated in statute or Board policy.

~~Unless otherwise stated in a Board policy, members may only communicate with a Board advisory committee during a meeting, including general attendance, as follows:~~

~~i) Members are invited to attend and only for the portion of the meeting in which members are invited to attend; and~~

~~ii) Members agree to keep all information observed or obtained as confidential until such time as the Board makes the information or discussion contents public.~~

i) Interactions with Agency Staff:

i) Members may contact appropriate agency staff regarding items that appear on Board agendas;

ii) For non-agenda items, members may ask questions or make requests of agency staff through the following process:

A) If the issue requires research or will take more than ten minutes of staff time or analysis:

(a) Make the request during a standing committee meeting for further consideration; or

(b) Send the request to Board leadership for further assignment.

B) Once a request under subsection (a) has been fulfilled the information shall be provided to the Board; and

**Commented [VJ1]:** Move to Board Policy on Communications

C) If the issue will only take ten minutes of staff time or analysis, members may contact the relevant staff member or Superintendency; and

~~iii) Members may not unduly influence any project or staff member that reports to the Superintendent;~~

iii) Members may not direct, influence, or control the day-to-day operations conducted by staff as overseen by the Superintendent.

## ARTICLE VI—BOARD OFFICERS

- 1) The Board shall elect from its members a Chair and at least one Vice Chair, but no more than three Vice Chairs every other year, at a meeting held any time between November 15 and January 15. (53E-3-201(2))
- 2) Board officer elections shall be conducted in accordance with Board Policy 2002.
- 3) Newly elected voting members of the Board shall assume the position of outgoing members for purposes of the election of officers. In all others matters, the outgoing members shall retain the full authority of the office until replaced as provided by law. (53E-3-201(3)).
- 4) The newly elected Chair and Vice Chair(s) will assume transition responsibilities immediately following the conclusion of the meeting in which they are elected including:
  - a) new committee assignments; and
  - b) participating in setting the agendas for the January or February board meetings.
- 5) The Board Chair or Vice Chair may be removed from the position for cause by a vote of two-thirds (2/3) of the Board. (53E-3-201(6))
- 6) Duties of the Board Chair:
  - a) Acting as the official spokesperson for the Board;
  - b) Chairing all meetings of the Board; the Chair may delegate the responsibility to the Vice Chair(s) at the Chair's discretion. The Chair or Vice Chair(s) may designate a member to preside at designated meetings;
  - c) Calling additional meetings of the Board and standing committees;
  - d) Chairing the Board Executive Committee;

- 254 e) Participating as a member of the Talent Ready Utah Board or appointing a  
255 designee (63N-12-503);
- 256 f) Facilitating the evaluation process by the Board of the Board's direct report  
257 employees each spring;
- 258 g) Supervising payment of member compensation (36-12-17(d) and (e)) and Board  
259 Policy 2001;
- 260 h) Approving member requests for out-of-state travel;
- 261 i) Performing other duties applicable to the office as prescribed by Board policy and  
262 procedure;
- 263 j) In the event of multiple Vice Chairs, designating which Vice Chair fulfills each  
264 Vice Chair duty; and
- 265 k) Appoint members to serve on:
- 266 i) all committees requiring Board participation;
- 267 ii) the Underage Drinking Prevention Program Advisory Council (53G-10-  
268 406(5)(g));
- 269 iii) standards review committees (53E-4-203(5)(a));
- 270 iv) the Assessment Item Review Committee (53E-4-303(5)(b)(i));
- 271 v) the ULEAD Steering Committee (53E-10-707(b));
- 272 vi) the Regional Education Service Agency Coordinating Council (R277-706-6);
- 273 7) Duties of the Board Vice Chair(s):
- 274 a) Acting as the official spokesperson for the Board as assigned by the Chair;
- 275 b) Chairing Board meetings as assigned by the Chair;
- 276 c) Serving as a member of the Board Executive Committee;
- 277 d) Overseeing the election of Board Officers;
- 278 e) Overseeing new member orientation;
- 279 f) Reviewing Board Bylaws annually, making sure Bylaws conform to current state  
280 statute, and initiating amendments for this and other areas if necessary; and
- 281 g) Assisting the Chair in a yearly performance review of the Board's direct report  
282 employees.

**ARTICLE VII—BOARD MEETINGS**

- 1) The Board shall meet at the call of the Chair and at least 11 times per year (53E-3-203).
- 2) Members shall review Board meeting materials and be prepared to discuss and take appropriate action before a Board meeting begins.
- 3) The Board shall approve a meeting schedule for the following year prior to the conclusion of the April Board meeting.
  - a) A draft meeting schedule shall be provided to the Board the month before it is scheduled for approval.
- 4) Agenda items may be added to the Board meeting agenda consistent with the timelines established by the Board Executive Committee in consultation with the Board Secretary.
- 5) The Board Executive Committee shall consider an item to be added to a Board agenda upon request of a standing committee or three members under the following conditions:
  - a) It is identified how the item fits with the duties and responsibilities of the Board;
  - b) It is identified if the item is for information, discussion, or action;
  - c) If the item is an actionable item, the specific proposed action is outlined; and
  - d) All requestors shall:
    - i) be listed for inclusion in the agenda memo;
    - ii) agree with and share the same position as the other requestors on the agenda item; and
    - iii) clearly communicate the intent for the requested item.
- 6) Members of the public may request items be added to the Board agenda by submitting a written request to their member to be considered by the Board Executive Committee pursuant to the process described in Subsection (1).
- 7) Standing committee chairs and the Superintendent shall submit Board agenda items to the Board Executive Committee consistent with timelines established by the Board Executive Committee in consultation with the Board Secretary.
- 8) In extenuating circumstances and at the Board Chair's discretion, an item may be added to the Board agenda in accordance with the Utah Open and Public Meetings

314 Act. Before the item is added to the agenda, the Board Chair shall make a good  
315 faith attempt to consult with the Board Vice Chair(s), and if applicable, any chair of a  
316 committee whose work is related to the item.

317 9) Welcoming Remarks:

- 318 a) The Board Secretary shall extend the opportunity to members to provide opening  
319 remarks or a welcome to the public on a rotating basis for Board meeting.
- 320 b) Individual members may choose to offer an inspirational thought, provide for a  
321 moment of silence, or provide appropriate welcoming and solemnizing remarks  
322 as the member chooses.
- 323 c) Neither the Board Executive Committee nor Board Secretary shall direct or  
324 control the nature or content of the welcoming remarks, except that the Pledge of  
325 Allegiance shall always precede the welcoming remarks at in-person meetings.
- 326 d) Opening remarks may not exceed ten minutes.
- 327 e) The Board minutes shall record the individual providing the welcome.

328 10) As part of each regularly scheduled meeting, the Board will receive a monthly  
329 financial report from the Deputy Superintendent of Operations.

330 11) The Board may hold study sessions. Members may submit suggested topics to  
331 Board leadership following the same process as described in Subsection (5).

332 12) The Board Chair may call a special meeting in accordance with the Utah Open and  
333 Public Meetings Act. (52-4-202).

334 13) Voting by members:

- 335 a) A quorum of Board members is required to validate an action of the Board. (53E-  
336 3-203(2))
- 337 b) No Board member may vote by proxy.
- 338 c) No Board member may vote in absentia.
- 339 d) No vote concerning any matter under consideration by the Board or a committee  
340 may be cast by mail or similar written forms.
- 341 e) A member may participate in any discussion in an open meeting and vote in a  
342 meeting if the member is participating in real time electronically.
- 343 f) The member chairing the meeting participates in all votes of the Board.

- 344 g) Except as modified by state law or rule, or by these Bylaws, Robert's Rules of  
345 Order (latest edition) shall constitute the rules of parliamentary procedure  
346 applicable to all meetings of the Board and its committees.
- 347 h) If a quorum is not present, but one-fifth of members are present, a member may  
348 make a motion for a Call of the Board.
- 349 i) A Call of the Board requires the votes of a majority of members present to  
350 pass.
- 351 ii) Upon passage of a Call of the Board, no member may leave the Boardroom  
352 without permission of the Board Chair and staff shall request that absent  
353 members return to the Boardroom to conduct Board business.
- 354 i) Board members will abide by a decision of a quorum of the Board while retaining  
355 the right to seek changes in such decisions through ethical and constructive  
356 channels.
- 357 14) The Board exists to aid in conducting the people's business. Therefore, in keeping  
358 with the Utah Open and Public Meetings Act, it is the Board's presumption that  
359 actions will be taken openly and deliberations conducted openly. (52-4-101, et seq.).
- 360 15) The Board Secretary shall notify the public and the media of regular and special  
361 meetings of the Board and its committees in accordance with the Utah Open and  
362 Public Meetings Act. (52-4-202).
- 363 16) Public participation at Board meetings is invited consistent with Board  
364 Administrative Rule R277-101-3.
- 365 17) Consent Calendar:
- 366 a) A consent calendar may be placed on a Board meeting agenda.
- 367 b) Items may be removed from the consent calendar on the request of any one  
368 member.
- 369 c) Items not removed may be adopted by a vote of the Board without debate.
- 370 d) Removed items may be taken up either immediately after the consent agenda or  
371 placed later on the agenda at the discretion of the Board Chair.
- 372 e) An item may only be added to the consent calendar if the item is:
- 373 i) A routine or recurring topic;
- 374 ii) A non-controversial issue that does not require debate or deliberation;

- iii) An item that has been previously discussed for which a consensus has been reached, but that still need an official vote;
- iv) The previous meeting's minutes;
- v) A report that is informational and does not require debate or contain recommendations for further action;
- vi) A contract or agreement that has been created through an existing formal process;
- vii) An approval of a grant awardee or recipient that has been applied for through an existing formal process; or
- viii) A non-substantive change to a policy or procedure.

18) In responding to recommendations within reports and presentations, the Board has the following options:

- a) Move to implement the recommendations in the report;
- b) Refer the recommendations to a standing committee for consideration with no indication of support or rejection;
- c) Refer the recommendations to the Superintendent when there is need for further study and recommendations at a subsequent meeting of the Board; or
- d) Acknowledge the recommendations with no indication of support or rejection but with appreciation of efforts made on behalf of or at the request of the Board.

19) The Board shall create, maintain, and review on a regular basis a statewide comprehensive multi-year strategic plan that includes long-term goals for improved student outcomes (53E-2-202).

20) Executive Sessions:

- a) A closed meeting may be held upon the affirmative vote of two-thirds of the voting Board members present at an open meeting for which notice is given. The reason(s) for holding a closed meeting, and the vote either for or against the motion to hold such a meeting cast by each member by name, shall be entered into the minutes of the meeting. (52-4-204)
- b) If closed, the meeting shall be held consistent with statutory purposes for:
  - i) Discussion of the character, professional competence, or physical or mental health of an individual;

- ii) Strategy session to discuss pending or reasonably imminent litigation;
- iii) Strategy session to discuss the sale, purchase, exchange, or lease of real property; or
- iv) Other issues as identified in statute. (52-4-205).
- c) A member may not discuss confidential information discussed in executive session outside of the executive session.
- d) A member may not participate in a closed meeting electronically when the meeting is held in person.

21) The Board shall record all Board meetings unless otherwise provided by 52-4-203.

22) The Board shall live stream all open meetings where facility technology will allow it.

23) The Board may hold electronic meetings in accordance with 52-4-207 and R277-101-4.

## **ARTICLE VIII—BOARD COMMITTEE PROCEDURES AND OUTSIDE COMMITTEE PARTICIPATION**

### **1) Standing Committees of the Board:**

- a) Members are assigned to a standing committee by the Chair until otherwise reassigned, in consultation with the Vice Chair(s) with consideration of Board member requests and potential conflicts of interest.
- b) Chairs and vice chairs of the standing committees are appointed by the Board Chair, in consultation with the Vice Chair(s).
- c) Members shall review Standing Committee meeting materials and be prepared to discuss and take appropriate action before a standing committee meeting begins.
- d) The Board Chair shall schedule standing committee meetings in consultation with committee chairs based on the needs and priorities of the Board.
- e) After Board officer elections, the Board Chair, in consultation with the Vice Chair(s), shall appoint Board committee chairs and vice chairs from among members prior to the February Board meeting.
- f) Standing committees are not subject to the Open and Public Meetings Act.
- g) Standing committee meetings shall be open to the public.
- h) Standing committees may hold electronic meetings.

- 436 i) Standing committees shall adhere to the information/discussion/action item  
437 categories listed on the committee agendas.
- 438 j) Standing Committee Parliamentary Procedure:
- 439 i) Role of the committee - When the Board does not have sufficient information  
440 to make an informed decision, when extensive discussion may be helpful, or  
441 when it appears that the Board could accomplish more through the work of a  
442 committee, the Board, Board Chair, or Board Executive Committee may  
443 assign issues to Board committees or special committees for subsequent  
444 presentation to the entire Board.
- 445 ii) Committee meeting procedural rules differ from rules that apply to a full Board  
446 meeting as follows:
- 447 A) A committee quorum consists of a majority of the committee membership.
- 448 B) Standing committee meetings will be recorded and staffed by a secretary  
449 assigned by the Superintendent.
- 450 C) Committee motions need not be seconded.
- 451 D) There is no limit to the number of times a member may speak to a  
452 question, and motions to close or limit debate generally are not in order.
- 453 E) Informal discussion of a subject is permitted while no motion is pending.
- 454 F) The committee chair may speak in a discussion without relinquishing the  
455 chair, may make motions, and usually votes on all questions.
- 456 G) A Board rule heard and voted on by a committee is considered as the  
457 Board's first reading.
- 458 k) Standing Committee Reports to the Board:
- 459 i) A committee agenda item receiving a favorable majority vote of the committee  
460 members will be brought to the entire Board for consideration with a report  
461 and motion from the committee. The motion requires no second.
- 462 ii) A committee agenda item not receiving a majority vote of committee  
463 members will be reported back to the entire Board with no committee  
464 recommendation. The Board Chair may then entertain a motion to determine  
465 whether a majority of the Board wants to hear the item. If so, the item may be  
466 considered immediately.

- 467 l) Committee Agendas  
468 i) Committee chairs and vice chairs should work with the Superintendent to  
469 recommend committee agenda items.  
470 ii) The Superintendent shall submit proposed agenda items for Board Executive  
471 Committee review in accordance with the deadlines provided by the Board  
472 Secretary.  
473 m) The Board shall record and live stream all standing committee meetings on the  
474 internet where facility technology will allow it.  
475 n) By motion, a standing committee may give direction to staff to:  
476 i) Gather additional information to help inform the committee's work; or  
477 ii) Incorporate information into a draft rule or other document, which will come  
478 back to the committee for consideration or review.
- 479 2) Board Executive Committee:  
480 a) The Board Executive Committee shall include:  
481 i) The Chair;  
482 ii) The Vice Chair(s);  
483 iii) The Chairs of the standing committees; and  
484 iv) The Superintendent  
485 b) The Deputy Superintendents shall serve as staff to the Committee  
486 c) USBE and related staff may attend as invited by the Chair.  
487 d) The Board Secretary shall serve as the secretary to the Board Executive  
488 Committee.  
489 e) The Board Executive Committee agenda is determined by the Chair and Vice  
490 Chair(s), with recommendations from the Superintendent.  
491 f) Board Executive Committee meeting agendas shall be distributed to Board  
492 members prior to each meeting.  
493 g) Members who are not on the Board Executive Committee may attend Committee  
494 meetings as observers only unless invited to participate by the Chair.  
495 h) Members not on the Executive Committee planning to attend a Committee  
496 meeting must notify the Board secretary to ensure a quorum of the Board will not  
497 be present.

- 498 i) Board Executive Committee meetings are convened only for the purpose of  
499 discussing the agenda for the upcoming Board meeting or to implement other  
500 such administrative or operational matters affecting the Board as contemplated in  
501 the Open and Public Meetings Act, 52-4-101, et seq.
- 502 3) Board Audit Committee:
- 503 a) The Audit Committee shall appoint and evaluate an Internal Audit Director (Chief  
504 Audit Executive) in accordance with 63I-5-301.
- 505 b) Process for Audit Committee Membership Selection:
- 506 i) Board leadership shall propose the audit committee membership in an  
507 executive session to the Board and include the Board leadership's reasoning  
508 for the proposed membership;
- 509 ii) The Board shall vote to approve or amend the proposed audit committee  
510 membership.
- 511 c) The Board shall only appoint members to the audit committee.
- 512 d) Members not on the Audit Committee may attend Committee meetings.
- 513 e) Members not on the Audit Committee planning to attend a Committee meeting  
514 must notify the Committee Chair and Chief Audit Executive to ensure a quorum  
515 of the Board will not be present.
- 516 f) The Board Audit Committee will generally meet monthly.
- 517 g) Each meeting agenda may include the following:
- 518 i) Confidential discussion with the Internal Audit Department;
- 519 ii) Confidential discussion with the Internal Audit Director; and
- 520 iii) Confidential discussion with the Internal Audit Director and Superintendent.
- 521 4) Committees requiring Board member representation:
- 522 a) By statutory requirement:
- 523 i) One or more members serve on the Student Data Policy Advisory Group.  
524 (53E-9-302(3)(a) and BoardPolicy 5003)
- 525 ii) Two members serve on the Utah Underage Drinking Prevention Program  
526 Advisory Council. (53G-10-406)
- 527 iii) The Chair or the Chair's designee serves on the Talent Ready Utah Board.  
528 (63N-12-503(1)(d))

- b) By invitation, assigned members participate in meetings of:
- i) Utah School Boards Association (USBA) Board of Trustees (non-voting).
  - ii) Utah Rural Schools Association (URSA) Board of Directors.
  - iii) Utah High School Activities Association (UHSAA) Board of Trustees.
  - iv) Utah State Charter School Board (non-voting).
  - v) Two members to serve on the USBE IT Governance Council.
  - vi) Teacher of the Year Selection Committee.
  - vii) Other committees, as invited.
- c) By Board rule or policy:
- i) Two members serve on the Assessment and Accountability Policy Advisory Committee (AAPAC). (Board Policy 5002).
- 5) The Board may establish an ad hoc advisory group, taskforce, or advisory committee with respect to the Board's responsibilities in accordance with Board Policy 1004.
- 6) The Board or Board Chair may dissolve any non-statutory advisory committee if the Board or Board Chair determines the committee is no longer necessary or effective.
- 7) The Board may maintain membership in national organizations with relevance to the Board's mission.

#### **ARTICLE IX—DIRECT EMPLOYEES OF THE BOARD**

- 1) The Board shall appoint the State Superintendent, who is the executive officer of the Board (53E-3-301) under the following conditions:
- a) The Board shall appoint the State Superintendent based on outstanding professional qualifications.
  - b) The Board has a responsibility to the public citizenry in its selection of the best candidate for State Superintendent. To that end, the Board will follow the appointment process as outlined below.
    - i) The Board Chair will solicit input from members and may create a Superintendent Selection Committee comprised of no more than seven members.

- 559        ii) The Superintendent Selection Committee shall create a hiring process  
560            approved by the Board which may include:  
561            A) Establishing the hiring goals and objective criteria ;  
562            B) Determining the degree of involvement of community and staff in the  
563            selection process as advisor(s) to the Board.  
564            C) Determining whether a consultant is needed to increase the candidate  
565            pool and/or facilitate the selection process.  
566            D) Setting a reasonable timetable, at least thirty (30) calendar days, for  
567            completion of the selection process.  
568            E) Determining the need for preparation of printed media to recruit  
569            candidates.  
570            F) Determining means of advertising the position and establish a screening  
571            process.  
572            G) Interviewing screened candidates and forwarding a list of finalists to the  
573            Board.  
574        iii) Following the work of the Superintendent Selection Committee, the Board  
575            may recall final candidates for second interviews.  
576        iv) The appointment of the Superintendent shall take place by vote of the Board  
577            in an open meeting.  
578        c) If necessary, the Board may appoint an Interim State Superintendent to fulfill the  
579            duties of the State Superintendent and set the terms and limits of the interim  
580            appointment.  
581        d) The State Superintendent shall administer all programs assigned to the Board in  
582            accordance with the policies and standards established by the Board.  
583        e) Unless specified as a Direct Employee of the Board in these bylaws, employees  
584            are supervised by the Superintendent.  
585        f) The Board shall establish the compensation of the State Superintendent with a  
586            review of salary market data. (53E-3-302)  
587        g) The Board Chair and Vice Chair(s) shall conduct a performance review of the  
588            State Superintendent annually by the end of the fiscal year. The

Superintendent's performance, including goals, shall be discussed in an executive session of the Board.

2) The Board shall appoint a Superintendent for the Utah Schools for the Deaf and the Blind consistent with 53E-8-204(2) and R277-800 including:

- a) USDB is administered by the Superintendent for the USDB (53E-8-204(2));
- b) An Advisory Council shall be appointed by the Board (R277-800);
- c) The USDB Superintendent reports to the Board; and
- d) Governance and control of USDB, and the management of its affairs, is vested in the Board (53E-8-204).

3) The Deputy Superintendent of Operations shall be appointed by the Board and oversees:

- a) Charter Schools;
- b) Data & Statistics;
- c) Financial Operations;
- d) Human Resources;
- e) Information Technology;
- f) Internal Accounting; and
- g) The School Children's Trust.

4) The Board shall appoint a secretary (53E-3-201(5)).

5) The Board shall appoint a Director of Public Affairs.

6) The Board may appoint other direct report employees as necessary for the proper administration and supervision of the public school system. The compensation and duties of these other employees shall be established by the Board and paid from funds legislatively appropriated for that purpose.

7) For direct employees other than the Superintendent, Board Leadership may establish an interview committee to bring recommendations to the Board.

8) The Board will appoint direct hires in an open meeting of the Board.

## **ARTICLE X—APPOINTMENTS**

1) By statute, rule, and policy the Board appoints individuals to the:

- a) State Instructional Materials Commission. (53E-4-402).

- b) Utah Schools for the Deaf and the Blind Advisory Council. (R277-800).
- c) Utah Education and Telehealth Network (UETN) Board. (53B-17-105(5)(b)(ii)).
- d) Utah Transparency Advisory Board (Department of Administrative Services). (63A-1-203(2)(m)).
- e) SafeUT and School Safety Commission (Office of the Attorney General). (53B-17-1203(1)(b)).
- f) Charter School Revolving Account Committee. (53F-9-203(6) and R277-480-3).
- g) School Readiness Board (Department of Workforce Services). (35A-15-201(1)(b)).
- h) In conjunction with the Department of Human Services, the Board appoints members to the Utah Coordinating Council for Youth in Custody. (53E-3-503(6)(a)).
- i) By statute, the Board shall nominate to the Governor at least two candidates for each of two positions on the State Charter School Board. (53G-5-201(2)).
- j) Advisory Committee on Equity of Educational Services for Students (ACEESS). (Board Policy 5001).
- k) Assessment and Accountability Policy Advisory Committee (AAPAC). (Board Policy 5002).
- l) Utah Special Education Advisory Panel (USEAP). (Board Policy 5006).
- m) Trust Lands Advisory Committee (TLAC). (Board Policy 5007).
- n) Student Data Governance Advisory Group (SDGAG). (Board Policy 5005).
- o) Student Data User Advisory Group (SDUAG). (Board Policy 5004).
- p) Student Data Policy Advisory Group (SDPAG). (Board Policy 5003).
- q) Student Advisory Council (SAC). (Board Policy 5008).
- 2) [The process for Board appointments is governed by Board Policy 1004.](#)

## ARTICLE XI—AMENDMENTS OF BYLAWS

- 1) Bylaws (except those established in state law) may be changed or amended by a two thirds (2/3) vote of the members if notice of the proposed changes was ~~given in~~ [placed on a Board agenda](#) ~~timely manner~~.

648 2) Changes and amendments to the bylaws shall become effective immediately upon  
649 approval as directed by the Board.  
650

## APPENDIX A

651

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<b>THE FOLLOWING IS A LIST OF REFERENCES CITING STATUTORY DUTIES AND RESPONSIBILITIES OF THE UTAH STATE BOARD OF EDUCATION – (<del>MAY NOT BE INCLUSIVE OF ALL STATUTORY RESPONSIBILITIES</del> UPDATED AS OF 4/13/2021)</b>	
1. <a href="#">9-22 Stem Action Center</a>	coordinate with STEM Board <ol style="list-style-type: none"> <li>1. further STEM education</li> <li>2. ensure best practices</li> <li>3. designate STEM schools</li> <li>4. RFP for instructional technology</li> <li>5. may conduct pilot program</li> <li>6. distribute STEM technology</li> <li>7. provide professional development</li> <li>8. develop and implement computer science initiative</li> <li>9. Computing Partnerships Grants program</li> </ol>
10. <a href="#">20A-14-103 State Board of Education members -- Term -- Requirements</a>	<ol style="list-style-type: none"> <li>1. remain a registered voter</li> <li>2. maintain primary residence within district</li> <li>3. not serve as employee of USBE</li> </ol>
11. <a href="#">26-10-5. Plan for school health services.</a>	coordinate with health department for plan for school health services
12. <a href="#">26-18-419. Medicaid waiver for coverage of mental health services in schools.</a>	consult with DHS and DSAMH to allow reimbursement to LEAs
13. <a href="#">26-18-15. Process to promote health insurance coverage for children.(2008)</a>	promote health insurance coverage for a child in school at registration and application for free lunch
14. <a href="#">26-29 Elimination of Architectural Barriers for Persons with a Disability</a>	responsible for enforcement where state school funds are utilized
15. <a href="#">35A-14 Utah Data Research Center</a>	<a href="#">appoint</a> a director of center
16. <a href="#">35A-15 Part 3 Grants for High Quality School Readiness Programs</a>	<ol style="list-style-type: none"> <li>1. coordinate with High Quality School Readiness Board</li> <li>2. conduct evaluation of programs</li> <li>3. prepare report</li> </ol>
17. <a href="#">41-6a-1308. School bus idling standards.</a>	<ol style="list-style-type: none"> <li>1. implement idling reduction program for school buses</li> <li>2. including idling reduction standards in Utah Standards for Utah School Buses and Operations</li> </ol>
18. <a href="#">41-6a-1310. School bus traffic safety devices.</a>	may make rules to address student privacy when using cameras on buses
19. <a href="#">53-1-106. Department duties -- Powers.</a>	USBE to house and cooperate with public safety liaison
20. <a href="#">53B-1-114. Coordination for education.</a>	coordinate with Higher Education
21. <a href="#">53B-1-109. Coordination of higher education and public education information technology systems -- Use of unique student identifier.</a>	coordinate unique student identifiers for public and higher ed

22. <a href="#">53B-6-104. Multi-University Consortium for Teacher Training in Sensory Impairments -- Purposes -- Appropriation.</a>	coordinate on teacher prep programs for students who are sensory impaired
23. <a href="#">53B-8-202. Regents' Scholarship Program -- General provisions -- Board policies.</a>	provide directory information of all 8 <sup>th</sup> graders in state
24. <a href="#">53B-18-801. Establishment of the center -- Purpose -- Duties and responsibilities.</a>	collaborate with Center for the School of the Future at Utah State University
25. <a href="#">53B-17-1204. SafeUT and School Safety Commission duties -- LEA governing board duties -- Fees.</a>	promote awareness of SafeUT Crisis Line
26. <a href="#">53B-17-104. Responsibilities of the Utah Board of Higher Education, the State Board of Education, the University of Utah, KUED - TV, KUER - FM, and UETN related to public broadcasting and telecommunication for education and government.</a>	coordinate in providing services
27. <a href="#">59-2-903. Remittance to credit of Uniform School Fund of money in excess of basic state-supported school program -- Manner.</a>	
28. <a href="#">59-10-1307. Contributions for education.</a>	distribute undesignated individual taxpayer donations
29. <a href="#">62A-15-117. Medicaid reimbursement for school-based health services -- Report to Legislature.</a>	
30. <a href="#">63A-1-206. Submission of public financial information by a school district or charter school.</a>	create rules for submissions
31. <a href="#">62A-5-205 State Board of Education -- Education of children at developmental center</a>	provide education to school-aged children at the Utah State Development Center.
32. <a href="#">62A-7-401.5. Secure facilities.</a>	provide education to juvenile offenders in secure facilities.
33. <a href="#">62A-15-609. Responsibility for education of school-aged children at the hospital -- Responsibility for noninstructional services.</a>	responsible for education of school-aged children committed

34. <a href="#">63A-5b-304. Agencies authorized to hold title.</a>	can hold title to property for institution administered by USBE
35. <a href="#">63G-17-202. Air quality mitigation report and plan.</a> (dated 2013 to complete)	<ol style="list-style-type: none"> <li>1. collect air quality mitigation reports from districts</li> <li>2. submit reports to Economic Development Task Force</li> </ol>
36. <a href="#">63G-1-201. Official state language.</a>	<p>make rules governing the use of foreign language to promote</p> <ol style="list-style-type: none"> <li>1. all children and adult to learn English</li> <li>2. encourage foreign language instruction</li> <li>3. ESL programs expanded</li> <li>4. maximize understanding for no-English speaking parents</li> <li>5. encourage parents to become more proficient in English</li> </ol>
37. <a href="#">63I-5-201. Internal auditing programs -- State agencies.</a>	establish internal audit program for programs administered by USBE
38. <a href="#">63J-1-219. Definitions -- Federal receipts reporting requirements.</a>	annual report required
39. <a href="#">63J-5-203.5. State Board of Education to approve certain new federal funds requests.</a>	Review and approve requests \$1,000,000 or less
40. <a href="#">63J-1-601. End of fiscal year -- Unexpended balances -- Funds not to be closed out -- Pending claims -- Transfer of amounts from item of appropriation -- Nonlapsing accounts and funds -- Institutions of higher education to report unexpended balances.</a>	
41. <a href="#">63M-5 Part 3 Resource Development Act Use of funds</a>	submit budget regarding impact of industrial development on schools
42. <a href="#">63N-12-505 and 506. Computer Science for Utah Grant Program.</a>	<ol style="list-style-type: none"> <li>1. consult on computer science education master plan</li> <li>2. solicit grant applications</li> <li>3. recommend grant awards</li> <li>4. make rules for grant program</li> <li>5. review grant assessments</li> <li>6. coordinate with DSAMH regarding Medicaid reimbursement</li> </ol>
43. <a href="#">63N-12-Part 5 Talent Ready Utah Center.</a>	<p>partner with talent ready board for</p> <ol style="list-style-type: none"> <li>1. work-based learning opportunities</li> <li>2. computer science education master plan</li> <li>3. make rules and administer Computer Science for Utah Grant</li> <li>4. Utah Works Program when appropriate</li> </ol>

44. <a href="#">78A-6-1110. Cooperation of political subdivisions and public or private agencies and organizations.</a>	shall render assistance to juvenile courts
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653 [53E-3-204. Gross neglect of duty -- Nonpayment of salary or expenses.](#)

654 [53E-3, Part 3 State Superintendent](#) (appointment and compensation)

655 [53E-3, Part 4 Powers](#)

656 Establish rules and minimum standards for:

- 657 1. educator licensing
- 658 2. school administration
- 659 3. educator evaluation
- 660 4. access to programs
- 661 5. attendance
- 662 6. competency levels
- 663 7. graduation requirements
- 664 8. student discipline
- 665 9. accreditation
- 666 10. academic year
- 667 11. alternative and pilot programs
- 668 12. curriculum and instruction requirements
- 669 13. libraries
- 670 14. special education services
- 671 15. services to other special groups
- 672 16. busing
- 673 17. productivity and cost effectiveness measures
- 674 18. federal programs
- 675 19. budget formats
- 676 20. financial, statistical, and student accounting
- 677 21. data collection and reporting
- 678 22. determining if minimum standards met
- 679 23. determining if required reports are properly submitted
- 680 24. management of federal funds (duplicate of 18)
- 681 25. approval of tech college courses for high school credit
- 682 26. monitoring of LEA compliance with minimum standards

683 [53E-3, Part 5 Miscellaneous Duties](#)

- 684 1. core competency standards ([53E-4 Part 2 Standards](#))
- 685 2. assessment ([53E-4, Part 3 Assessments](#))
- 686 3. advertise competency-based educational systems
- 687 4. track educational performance trends
- 688 5. promote high expectations
- 689 6. share site-based decision making information

- 690 7. clearing house for effective and innovative practice  
691 8. assist LEAs with professional development  
692 9. cooperate with higher ed on teacher preparation and licensing  
693 10. educate individuals in custody of state or Native American tribe  
694 11. child literacy program  
695 12. general financial literacy course and task force  
696 13. high school IT program  
697 14. career and technical education programs  
698 15. before and after-school program standards  
699 16. gang prevention and intervention  
700 17. control of school meals program revenues  
701 18. Student Achievement Backpack  
702 19. ethical conduct standards for education employees  
703 20. hospitality and tourism management pilot program  
704 21. discipline and law enforcement action report  
705 22. educator credential database  
706 23. USIMS  
707 24. activity based costing work group  
708 25. early mathematics plan  
709 26. substance abuse prevention  
710 [53E-3, Part 6 Audits](#) (set standards and verify)  
711 [53E-3, Part 7 School Construction](#) (establish guidelines and enforce)  
712 [53E-3, Part 8 Implementing Federal or National Education Programs](#)  
713 [53E-3, Part 9 Interstate Compact on educational Opportunity for Military Children](#) (create state council)  
714 [53E-4 Part 2 Standards](#)  
715 [53E-4, Part 3 Assessments](#)  
716 [53E-4, Part 4 State Instructional Materials Commission](#)  
717 [53E-5, Part 2 School Accountability System](#)  
718 [53E-5, Part 3 School Turnaround and Leadership Development](#)  
719 [53E-6 Education Professional Licensure](#) (award, track, discipline)  
720 [53E-7 Special Education](#)  
721 1. make rules  
722 2. distribute funding  
723 3. Carson Smith Scholarship Program  
724 4. Special Needs Opportunity Scholarship Program  
725 [53E-8 Utah Schools for the Deaf and the Blind](#)  
726 1. governing board  
727 2. general supervision and control

- 728 3. appoint superintendent  
729 4. establish advisory council  
730 5. approve budget  
731 6. annual report  
732 7. collective bargaining agreement with personnel  
733 8. salary adjustments for educators  
734 9. set eligibility standards for students  
735 10. set policy  
736 11. approve use of enrichment funds  
737 12. establish USIMAC  
738 [53E-9-203 Activities prohibited without prior written consent](#) (discipline violations)  
739 [53E-9 Student Privacy and Data Protection.](#)  
740 1. protect privacy of data  
741 2. establish procedures for discipline of violations of 53E-0-203  
742 3. rules regarding student data protection  
743 4. student data policy advisory group  
744 5. student data governance advisory group  
745 6. state student data officer and manager  
746 7. review request for research data  
747 8. define data breach  
748 9. rules for expunging data  
749 10. rules for data storage and metadata dictionary  
750 11. share data with Utah Registry of Autism and Developmental Disabilities  
751 12. assess civil penalty for third party contractor data breach  
752 [53E-10 Part 2 Adult Education](#)  
753 1. make rules  
754 2. general control and supervision (not direct management)  
755 3. appoint director of adult ed  
756 4. set terms and conditions of payment of adult ed funds  
757 [53E-10 Part 3 Concurrent Enrollment](#)  
758 1. coordinate with higher ed to approve courses  
759 2. designate geographic coverage of institutions  
760 3. submit report  
761 4. LAUNCH, DISCOVER, TRANSFORM certificates  
762 [53E-10 Part 7 ULEAD](#)  
763 1. create rules as requested by ULEAD director  
764 2. appoint one member of the director selection committee  
765 3. publish ULEAD website for use of director  
766 4. provide distribution channel/method for director  
767 [53F-2 State Funding – Minimum School Program](#)  
768 [53F-3 State Funding – Capital Outlay Programs](#)

769 [53F-4 State Funding – Contracted Initiatives](#)

- 770 1. reading assessment contract
- 771 2. college readiness diagnostic tool
- 772 3. early interactive reading software
- 773 4. software for students with autism and special needs
- 774 5. early warning pilot program
- 775 6. Carson Smith Scholarship
- 776 7. UPSTART
- 777 8. statewide online education program

778 [53F-5 State Funding – Initiate Grant Programs](#)

- 779 1. state assessments
- 780 2. national board certification reimbursement
- 781 3. Interventions for Reading Difficulties Program
- 782 4. Strengthening College and Career Readiness Program
- 783 5. Paraeducator to Teacher Scholarship
- 784 6. Intergenerational Poverty Interventions Grant Program
- 785 7. School-based mental health supports
- 786 8. Educational Improvement Opportunities Outside of the Regular School
- 787 9. Day Grant Program
- 788 10. Grants for additional educators for high-need schools
- 789 11. Pilot program for late enrollment in dual language immersion
- 790 12. Grant for professional learning
- 791 13. Literacy preparation assessment grant
- 792 14. Grants for new and aspiring principals
- 793 15. Partnerships for Student Success Grant Program
- 794 16. Competency-Based Education Grants Program
- 795 17. American Indian and Alaskan Native Education State Plan Program

796 [53F-7 State Funding Education Administration](#)

- 797 1. driver's education tax account distribution
- 798 2. USDB salary adjustments

799 [53F-8-403 School Transportation Levy](#)800 [53F-9-203 Charter School Revolving Account](#) (manage in consultation with SCSB)801 [53F-9-206 School Building Revolving Account](#) (make rules but supt administers)802 [53F-9 Part 3 Education Fund](#)

- 803 1. Charter School levy account
- 804 2. Minimum basic growth account
- 805 3. Underage Drinking and Substance Abuse Prevention Program
- 806 4. Local levy growth account
- 807 5. Teacher and student success account

808 [53F-9-401. Autism Awareness Restricted Account.](#) (make rules but supt distributes)

- 809 [53F-9-501. Hospitality and Tourism Management Education Account -- Uses -- Costs.](#)
- 810 [53G-3-501 Transfer of a portion of a school district -- State board resolution -- Local school board](#)
- 811 [petition -- Elector petition -- Transfer election.](#) (resolve questions)
- 812 [53G-4-402 Powers and duties generally.](#)
- 813 (18)(c) develop a comprehensive emergency response plan model
- 814 [53G-4-410 Regional education service agencies.](#) (make rules and distribute funding)
- 815 [53G-5 Charter schools](#)
- 816 1. review approved charters and required reconsideration
- 817 2. rules for application process and monitoring
- 818 3. request funding
- 819 4. waive rules
- 820 5. rules for closure
- 821 6. hear closure appeals
- 822 7. staff Charter School Finance Authority
- 823 [53G-6-302 Child's school district of residence -- Determination -- Responsibility for providing educational](#)
- 824 [services.](#)
- 825 1. rules regarding residency
- 826 [53G-6-305 District paying tuition -- Effect on state aid](#)
- 827 1. approve tuition for out of state education
- 828 [53G-6 Part 4 School District Enrollment](#)
- 829 1. establish special education class size
- 830 2. prescribe standard application forms for nonresident students to apply for admission
- 831 3. consult with UHSAA on participation policies
- 832 4. rules for nonresident student tuition
- 833 5. rules for nonresident student transportation
- 834 6. consult with SCSB on rules for student admission
- 835 7. rules for capacity of charter school
- 836 8. make rules and approve charter school expansion
- 837 9. rules for dual enrollment
- 838 10. rules for charter and online student participation in extracurricular activities
- 839 11. interstate compacts on the placement of children (62A-4a Part 7)
- 840 12. rules for student assessment opt-out
- 841 [53G-7-202 Waivers from state board rules.](#)
- 842 [53G-7-218 Establishment of early learning plan -- Digital reporting platform.](#)
- 843 1. create model early learning plan
- 844 2. develop uniform standards
- 845 3. approve plans
- 846 4. support failing LEAs
- 847 5. digital platform with interventions

- 848 [53G-7-304 Undistributed reserve in local school board budget.](#)(establish scale)
- 849 [53G-7-306 School district interfund transfers.](#)
- 850 1. authorize transfers
- 851 2. rules for financially distressed districts
- 852 [53G-7 Part 5 Student Fees.](#)
- 853 1. impose corrective action
- 854 2. rules for fee waivers
- 855 [53G-7-603 Purchase of textbooks -- Textbooks provided to teachers.](#)
- 856 1. approve terms of LEA textbook purchases
- 857 2. rules for disposal of textbooks
- 858 [53G-7 Part 7 Student Clubs](#) (make rules)
- 859 [53G-7 Part 9 Internships](#) (make rules)
- 860 [53G-7 Part 10 Internet Policy](#) (make rules for local policies)
- 861 [53G-7-1106 Procedures for disputes – Appeals – Appeals panel](#) (appoint USHAA appeals panel)
- 862 [53G-7 Part 12 School Community Councils and Charter Trust Land Councils](#) (make rules)
- 863 [53G-7 Part 13 Teacher and Student Success Program](#)
- 864 1. receive applications
- 865 2. distribute funds
- 866 3. make rules
- 867 [53G-8-Part 2 School Conduct and discipline plans.](#)
- 868 1. model policy
- 869 2. collect data
- 870 3. make rules for extracurricular activities
- 871 4. approve school based behavior intervention program
- 872 5. may create evidence based interventions
- 873 [53G-8 Part 4 Juvenile Court and Law Enforcement Notification to Public Schools](#)
- 874 (make rules)
- 875 [53G-8 Part 5 Substance Abuse Reporting and Weapons Notification](#) (make rules)
- 876 [53G-8 Part 7 School resource Officers](#)
- 877 1. make rules
- 878 2. create training program
- 879 [53G-8 Part 8 State Safety and Support Program](#)
- 880 1. model policies
- 881 2. provide training
- 882 3. conduct and disseminate research
- 883 4. encourage partnerships

- 884 5. provide technical assistance  
885 6. model critical incident response training program  
886 7. space for public safety liaison  
887 8. model school climate survey  
888 9. collect data  
889 [53G-9-207 Child sexual abuse prevention.](#)
- 890 1. approve instructional materials  
891 [53G-9 Part 6 Bullying and Hazing](#)
- 892 1. model policy on bullying, cyber bullying, hazing, abusive conduct  
893 2. make rules regarding training  
894 [53G-9 Part 7 Suicide Prevention](#)
- 895 1. model program, training and resources  
896 2. designate public education suicide prevention coordinator  
897 3. distribute funds  
898 4. develop curriculum for parent seminar  
899 5. develop or adopt professional development materials  
900 [53G-10-Curriculum Participation and Requirements](#)
- 901 1. create and administer civics engagement project  
902 2. periodically review American history and government curricula  
903 3. develop policies and procedures for teaching American Sign Language  
904 4. make rules regarding instruction about flag  
905 5. establish health curriculum requirements  
906 6. rules for sex ed in schools  
907 7. rules for instruction on alcohol, tobacco, electronic cigarettes, controlled substances  
908 8. administer Underage Drinking and Substance Abuse Prevention Program  
909 9. make rules and distribute funds for Drivers Education  
910 [53G-11 Employees](#)
- 911 1. gather information regarding professional learning  
912 2. make rules and model exit survey  
913 3. facilitate license applicant criminal background check and monitoring  
914 4. make rules and decide impact of criminal history on licensed educator  
915 5. make rules requiring self reporting of conviction, arrest, offense  
916 6. provide training regarding criminal background checks  
917 7. rules for school employee and educator evaluations  
918