

1 **R277. Education, Administration.**

2 **R277-123. Process for Members of the Public to Report Violations of Statute and**
3 **Board Rule.**

4 **R277-123-1. Authority and Purpose.**

5 (1) This rule is authorized by:

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

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

10 (c) Subsection 53E-3-401(8)(d), which requires the Board to establish a process
11 in rule for an individual to bring a violation of statute or board rule to the attention of the
12 Board.

13 (2) The purpose of this rule is to establish a process for an individual to bring an
14 alleged violation of statute or board rule to the attention of the Board.

15 **R277-123-2. Definitions.**

16 (1) "Alleged violation" means an alleged violation of statute or Board ~~[state board]~~
17 rule.

18 (2) "Hotline report" means a report of an alleged violation submitted to the
19 Board's public education hotline.

20 (3) "Public education hotline" or "hotline" means the process and database
21 maintained by the Board's internal audit staff where an individual may report an alleged
22 violation.

23 **R277-123-3. Individual Reports of Alleged Violations of Statute and Board Rule -**
24 **Public Education Hotline Reports.**

25 (1) An individual may report an alleged violation of statute or state board rule to
26 the Board's public education hotline, which can be found at
27 <https://schools.utah.gov/internalaudit?mid=892&tid=3>.

28 (2) A hotline report may be submitted through the internal audit webpage on the
29 Board’s website, form, mail, phone or email.

30 (3)(a) As part of the individual’s hotline report, the individual may provide:

31 (i) a detailed description of the report or alleged violation, including any laws,
32 regulations, or policies that are relevant;

33 (ii) the name of the individual, program, and, if applicable, funding, involved;

34 (iii) the location where the action or concern occurred;

35 (iv) the date the action or concern occurred; and

36 (v) any additional information, including:

37 (A) other witnesses; and

38 (B) supporting documents or evidence.

39 (4) The Board’s internal audit staff shall conduct a preliminary analysis of an
40 alleged violation and may request additional information from the individual.

41 (5) Upon review of the information described in this Section R277-123-3, internal
42 audit staff may refer an alleged violation to the applicable LEA to be resolved or to
43 applicable staff.

44 (6) An alleged violation related to special education or educator misconduct shall
45 be reviewed and resolved in accordance with:

46 (a) for a report related to special education, R277-750; or

47 (b) for a report related to educator misconduct, Rules R277-210 through 217.

48 (7) If a response is requested by an individual or implied, internal audit or other
49 staff shall respond to the individual who submits an alleged violation within three
50 business days.

51 (8) If a staff member requests additional information from an individual who
52 submitted an alleged violation, the individual shall respond to the request in a timely
53 manner.

54 (9) If after two attempts to obtain information from an individual as described in
55 Subsection (8) the individual does not respond to staff, the alleged violation ~~will~~ shall
56 be closed in the public education hotline.

57 **R277-123-4. Resubmitted Alleged Violations of Statute or Board Rule.**

58 (1) An individual whose alleged violation is referred to an LEA, state agency, or
59 other entity for resolution, may resubmit the alleged violation to the public education
60 hotline if:

61 (a) the alleged violation is not resolved by the LEA, state agency or other entity;
62 and

63 (b) the alleged violation is within the jurisdiction or authority of the Board to
64 resolve.

65 (2) Staff who receive a resubmitted alleged violation described in Subsection (1)
66 may:

67 (a) request information from the LEA, state agency, or other entity; and

68 (b) conduct a preliminary investigation of the issue.

69 **R277-123-5. Substantiated Allegations of Violations of Statute or Board Rule.**

70 (1) If an alleged violation is substantiated or significant risk is identified, internal
71 audit may recommend:

72 (a) that the Board’s Audit Committee recommend prioritization of an audit to the
73 full Board; or

74 (b) that Superintendent implement corrective or other action in accordance with
75 R277-114.

76 (2) If an alleged violation is not substantiated, staff shall notify the individual who
77 ~~submitted~~reported the alleged violation and the alleged violator.

78 **KEY: hotline, report, and violations**

79 **Date of Enactment or Last Substantive Amendment: 2021**

80 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4) and**
81 **(8)**