

26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53G-11-515**, as renumbered and amended by Laws of Utah 2018, Chapter 3

32 **78A-4-103**, as last amended by Laws of Utah 2015, Chapter 441



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **53G-11-515** is amended to read:

36 **53G-11-515. Hearings before district board or hearing officers -- Rights of the**
37 **board and the employee -- Subpoenas -- Appeals.**

38 (1) (a) Hearings are held under this part before the school board or before hearing
39 officers selected by the school board to conduct the hearings and make recommendations
40 concerning findings.

41 (b) The school board shall establish procedures to appoint hearing officers.

42 (c) The school board may delegate [its] the school board's authority to a hearing officer
43 to make decisions relating to the employment of an employee [~~which~~] that are binding upon
44 both the employee and the school board.

45 [~~(d) This Subsection (1) does not limit the right of the board or the employee to appeal~~
46 ~~to an appropriate court of law.~~]

47 (2) At the hearings, an employee has the right to counsel, to produce witnesses, to hear
48 testimony against the employee, to cross-examine witnesses, and to examine documentary
49 evidence.

50 (3) Subpoenas may be issued and oaths administered as provided under Section
51 **53E-6-606**.

51a **§→ (4) All hearings shall be recorded at the school board's expense. ←§**

52 **§→ [(4)] (5) ←§** (a) Any final action or order of the school board may be appealed to the
52a Court of
53 Appeals for review.

54 (b) A notice of appeal shall be filed in accordance with the Utah Rules of Appellate
55 Procedure, Rule 4.

56 (c) A review by the Court of Appeals: