

57 described in Subsection 30-5a-103(10):

58 (a) the local school board shall place the employee on ~~§~~ → [paid] ← ~~§~~ administrative leave,
 58a **~~§~~ → in accordance with Subsection (5)(d) and ← ~~§~~ while**
 59 maintaining the confidentiality of the reason for the leave, until the local school board alters the
 60 employment circumstances as described in Subsection (5)(b) or (c);

61 (b) the local school board shall provide the employee the opportunity to return to
 62 regular work if the investigation:

63 (i) concludes without leading to criminal charges; or

64 (ii) does not result in the conviction of the employee; and

65 (c) if the investigation results in the conviction of the employee:

66 (i) the local school board shall take further employment action in response to the
 67 conviction, including leave without pay or termination; and

68 (ii) the employee shall pay back all salary compensation that the employee received
 69 during the paid administrative leave period described in Subsection (5)(a) ~~§~~ → [:] ; and

69a **~~(d)~~ there is a rebuttable presumption that the administrative leave described in Subsection**
 69b **~~(5)(a)~~ is paid leave, unless the local school board has established criteria regarding the**
 69c **~~circumstances under which the administrative leave may be unpaid leave.~~ ← ~~§~~**

70 **~~§~~ → [~~(d)~~ (f)] (6) ← ~~§~~** Nothing in this section restricts the power of a local school board to take
 71 employment action against the employee beyond the action described in this Subsection (5)
 72 while the employee is under criminal investigation, regardless of whether the employment
 73 action is related to the basis for the criminal investigation, including termination for cause
 74 based on:

75 (A) a violation of work policies;

76 (B) a violation of local school board policies, state board rule, or law;

77 (C) a violation of standards of ethical, moral, or professional conduct; or

78 (D) insubordination.

79 (ii) If the local school board determines that the actions of the employee justify
 80 termination for cause, the local school board may terminate the employee and cease paid leave
 81 upon the termination.

82 Section 2. **Effective date.**

83 If approved by two-thirds of all the members elected to each house, this bill takes effect
 84 upon approval by the governor, or the day following the constitutional time limit of Utah
 85 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
 86 the date of veto override.