



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 1, 2023

Mr. Speaker,

The Education Committee reports a favorable recommendation on **H.B. 195**, CRIMINAL INVESTIGATIONS OF SCHOOL EMPLOYEES, by Representative K. Birkeland, with the following amendments:

1. *Page 2, Line 55 through 58:*

55 (5) If a local school board has actual or constructive knowledge that an employee is
56 the
57 subject of an ongoing criminal investigation of crime related to ~~{drugs, violence, or~~
58 minors} an offense against a minor described in Subection 30-5a-103(10) ∴
59 (a) the local school board shall place the employee on paid administrative leave ∴
60 while maintaining the confidentiality of the reason for the leave, until
61 the local school board alters the employment circumstances as described in Subsection
62 (5)(b)

2. *Page 3, Line 60 through 69:*

60 (b) the local school board shall provide the employee the opportunity to return to
61 regular work if the investigation:
62 (i) concludes without leading to criminal charges; ~~{and}~~ or
63 (ii) does not ~~{substantiate wrongdoing on the part}~~ result in the
64 conviction of the employee; and
65 (c) if the investigation ~~{substantiates wrongdoing on the part}~~ results in
66 the conviction of the employee ~~{or leads to~~
67 criminal charges} ∴
68 (i) the local school board shall take further employment action in response to the
69 ~~{substantiated wrongdoing or criminal charges}~~ conviction , including

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- 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).

Respectfully,

Candice B. Pierucci
Chair

Voting: 10-2-4

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