

Comparison	Utah Code 53G-10-206	R277-328
Personnel impacted by the code and rule	<p>(1) As used in this section:</p> <p>(a) (i) "Administrative personnel..."</p> <p>(b) (i) "Instructional personnel..." or (B) any other employees, officials, government agencies, educational entities, persons, or groups for whom access to students is facilitated through, or not feasible without, the public education system.</p>	<p>An LEA shall provide professional learning to educators concerning educational equity.</p>
<p>An assurance provided to the state board concerning all professional learning, administrative functions, displays, and instructional and curricular materials</p> <p>8 mandated components of professional learning to be completed by schools.</p>	<p>Each LEA shall provide an annual assurance to the state board that the LEA's professional learning, administrative functions, displays, and instructional and curricular materials, are consistent with the following principles of individual freedom:</p>	<p>(2) The professional learning described in Subsection (1) shall include instruction in:</p> <p>(a) fostering a learning environment and workplace that are safe and respectful of all students and educators;</p> <p>(b) aligning teaching practices with the Utah Professional Learning Standards described in Section 53G-11-303, the Board's Resolution No. 2021-01 Denouncing Racism and Embracing Equity in Utah Schools, and the Board's Portrait of a Graduate;</p> <p>(c) establishing Professional Learning Communities committed to continuous improvement, individual and collective responsibility, and identifying underperforming students in need of supports;</p> <p>(d) acknowledging differences by looking for the good in everyone, including oneself, and showing due regard for feelings, rights, cultures, and traditions;</p> <p>(e) collaborating with diverse community members to understand, recognize and appreciate what we all have in common as humans, including acknowledging diverse cultures, languages, traditions, values, needs, and lived experiences;</p> <p>(f) implementing principles and strategies of inclusion, as they pertain to students and educators with diverse abilities and backgrounds</p>

		<p>(g) demonstrating role model responsibilities through the examination of various counterpoints to a topic in an impartial manner;</p> <p>(h) creating opportunities to recognize personal responsibility in contributing to conditions that preserve the rights of all individuals and to avoid the repetition of past harmful actions by individuals and groups;</p> <p>(i) defending intellectual honesty including freedom of inquiry, speech, and association; and</p> <p>(j) cultivating supportive conditions that focus on learning and remove barriers to allow students to have accessible pathways to resources and opportunities.</p>
<p>Utah code lists a series of principles about what is to be understood about individual freedom</p> <p>R277-328 states a series of “may not include”.</p>	<p>Consistent with the following principles of individual freedom:</p> <p>(i) the principle that all individuals are equal before the law and have unalienable rights; and</p> <p>(ii) the following principles of individual freedom:</p> <p>A) that no individual is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of the individual's race, sex, or sexual orientation;</p> <p>(B) that no race is inherently superior or inferior to another race;</p> <p>(C) that no person should be subject to discrimination or adverse treatment solely or partly on the basis of the individual's race, color, national origin, religion, disability, sex, or sexual orientation;</p> <p>(D) that meritocracy or character traits, including hard work ethic, are not racist nor associated with or inconsistent with any racial or ethnic group; and</p>	<p>The professional learning provided by an LEA may not include instruction that promotes or endorses that:</p> <p>(a) a student or educator's sex, race, religion, sexual orientation, gender identity or membership in any other protected class is inherently superior or inferior to another sex, race, religion, sexual orientation, gender identity or any other protected class;</p> <p>(b) a student or educator's sex, race, religion, sexual orientation, gender identity or membership in any other protected class determines the content of the student or educator's character including the student or educator's values, morals, or personal ethics;</p> <p>(c) a student or educator bears responsibility for the past actions of individuals from the same sex, race, religion, sexual orientation, gender identity or any other protected class as the student or educator; and</p> <p>(d) a student or educator should be discriminated against or receive adverse treatment because of the student or</p>

	(E) that an individual, by virtue of the individual's race or sex, does not bear responsibility for actions that other members of the same race or sex committed in the past or present.	educator's sex, race, religion, sexual orientation, gender identity or membership in any other protected class.
Freedom of speech and inquiry statements for code and rule.	Nothing in this section prohibits instruction regarding race, color, national origin, religion, disability, or sex in a manner that is consistent with the principles described in Subsection (2) (a).	No part of this rule shall be construed by an LEA or educator to: (a) prohibit or ban discussions of events, ideas, attitudes, beliefs, or concepts, including those described in this rule, from the general sharing and participation in the marketplace of ideas fostered in a learning environment; and (b) promote one ideology over another regarding a topic, including those described in this rule
53G-10-206 is the law R277-328 is to abide by the law		(4) The professional learning provided by an LEA shall be done in accordance with all state and federal laws.
Impacts professional learning relevant to this rule.		(5) The content of professional learning provided by an LEA shall be made freely available by the LEA to parents with a student in the LEA within a reasonable amount of time before or after the training is offered upon request and include: (a) a copy of this rule; and (b) a compliance rubric showing how the professional learning and materials adhere to the requirements of this rule.
53G-10-206 has no complaint process. R277-113 (b) provide an independent forum for internal auditors, internal audit contractors, and other regulatory bodies to		An LEA shall ensure a formal complaint process is in place pursuant to R277-113.

<p>report findings of fraud, waste, abuse, non-compliance, or control weaknesses, particularly if LEA administration is involved;</p> <p><u>R277-123. Process for Members of the Public to Report Violations of Statute and Board Rule. (utah.gov)</u></p> <p><u>R277-468. Parents Review of Public Education Curriculum and Review of Complaint Process. (utah.gov)</u></p>		
<p>Other professional learning doesn't apply to this rule as long as it adheres to components of R277-328-3(3)</p>		<p>The requirement for approval described in Subsection (3) applies only to the professional learning model referenced in this rule and does not apply to other professional learning with embedded components of educational equity offered by the Superintendent so long as the professional learning does not contain concepts described in Subsection R277-328-3(3).</p>