

1 **R277. Education, Administration.**

2 **R277-628. School Libraries.**

3 **R277-628-1. Authority and Purpose, and Oversight Category.**

4 (1) This rule is authorized by:

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

7 (b) Subsection [53E-3-501\(1\)\(c\)\(v\)](#), which requires the Board to establish rules  
8 and minimum standards for public schools including school libraries; and

9 (c) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute  
10 the Board's duties and responsibilities under the Utah Constitution and state law.

11 (2) The purpose of this rule is to provide the minimum standards for an LEA's  
12 library policies and accompanying procedures for library material selection and  
13 reconsideration.

14 (3) This Rule R277-628 is categorized as Category 3 as described in Rule [R277-](#)  
15 [111](#).

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17 **R277-628-2. Definitions.**

18 (1) "Library material" means any digital, including audio or visual media, or  
19 physical text contained within a school library's collection.

20 (2) "Objective sensitive materials" means the same as defined in [53G-10-103\(1\)](#).

21 ~~(2)(3)~~ "School library" means the location, both physical and virtual, where  
22 library materials are housed and administered by professional staff hired to oversee the  
23 selection, maintenance, and access to school library materials.

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25 **R277-628-3. Policy and Accompanying Procedures for School Library Material**  
26 **Selection and Reconsideration.**

27 (1) On or before September 1, ~~2022~~ 2024 each LEA shall:

28 (a) establish a policy and accompanying procedures for the selection and  
29 reconsideration of library materials selected for a school's library that is:

30 (i) consistent with current state and federal law, including [53G-10-103](#); and  
31 includes

32 (ii) designates two or more LEA employees responsible for making the initial  
33 objective sensitive material determination as described in [53G-10-103\(4\)](#); and

34 (b) ensure each school within the LEA complies with the LEA's policy and  
35 accompanying procedures for the selection and reconsideration of library materials  
36 selected for a school's library described in Subsection (1)(a).

37 (2) The Superintendent shall provide a model policy for use by an LEA in  
38 developing an LEA's policy and accompanying procedures described in Subsection (1).

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40 **R277-628-4. LEA Reporting and Compliance.**

41 (1) For purposes of determining whether a material that was removed by an LEA  
42 prior to July 1, 2024 meets the threshold described in Section [53G-10-103\(7\)\(a\)](#), an  
43 LEA shall report to the Board a removal of the material based on the objective sensitive  
44 material determination if the LEA has sufficient information to support the determination.

45 (2) Subsection (1) does not require an LEA to reevaluate determinations made  
46 prior to July 1, 2024.

47 (3) An individual described in Section [53G-10-103\(3\)\(a\)](#) may report a violation of  
48 Section [53G-10-103](#) or this Rule R277-628 to the Board in accordance with the process  
49 described in Rule [R277-123](#).

50 (4) If the Board identifies a reported violation of this section, the Board shall  
51 provide an update to the Education Interim Committee as described in Section [53G-10-](#)  
52 [103](#).

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55 **KEY: school library, material selection, policy and procedures**

56 **Date of Last Change: June 2, 2022**

57 **Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); [53E-3-](#)**

58 **[501\(1\)\(c\)\(v\)](#); [53E-3-401\(4\)](#)**