

UTAH STATE BOARD OF EDUCATION

Subject:

ACTION: R277-328, Equal Opportunity in Education (Continuation)

Agenda item type:

Action Item

Recommended Action:

That the Committee continue R277-328, Equal Opportunity in Education, on first reading and forward to the Board for continuation on second and final reading.

Purpose of Memo:

5-year review

Background:

Background of Rule: Rule R277-328, Equal Opportunity in Education, establishes the standards for Local Education Agencies (LEAs) and educators regarding professional learning focused on equal educational opportunities and prohibited discriminatory practices. The rule defines "Equal Opportunity in Education" as the acknowledgment that all students are capable of learning and may require additional guidance, resources, and support based on their specific academic needs. Under this rule, LEAs are required to provide professional learning that instructs educators on fostering safe learning environments free from unnecessary disruption, identifying students who need additional academic supports, and implementing strategies of inclusion. This rule was last changed in 2024 following the passage of HB 261 (2024).

Changes made at that time include:

Name and Terminology Shift: The rule was renamed from "Educational Equity in Schools" to "Equal Opportunity in Education," completely removing the term "educational equity" from the text.

Alignment with H.B. 261 (Section 53B-1-118): The amendment added explicit lists of prohibited discriminatory practices that educators are prohibited from promoting during professional learning.

Instructional Priorities: Language was fine-tuned to ensure that principles of inclusion for students with disabilities are implemented "in addition to, not instead of, high-quality core instruction".

Focus on Individual Needs Over Group Identity: The rule shifted to emphasize providing opportunities and resources based on a student's individual academic needs and goals, without excluding individuals on the basis of personal identity characteristics.

Reason for Committee Review:

Rule R277-328 is being brought before the Law and Licensing Committee for review and continuation. In accordance with the Utah State Board of Education's standard administrative rulemaking cycle, rules must be periodically reviewed to ensure they remain relevant, necessary, and aligned with current state law and educational objectives. R277-328 is currently set to expire on 8/9/26.

Staff will present R277-328, Equal Opportunity in Education, Continuation, for consideration and approval.

Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#)

Contact:

Name: Elisse Newey
Title: Deputy Superintendent of Policy
Phone: 801-538-7764
Email: Elisse.newey@schools.utah.gov

Attachments:

1. R277-328 - Continuation - May 2026 Committee