

UTAH STATE BOARD OF EDUCATION

Subject:

ACTION: Board Review of Appeals on LEA Sensitive Materials Decisions

Agenda item type:

Action Item

Recommended Action:

If the Committee determines that the LEA did not adhere to its policy, the Committee shall recommend that the Board return the matter to the LEA with an order that includes the following:

1. explanation of the procedural deficiencies;
2. recommendations to the LEA, that may include changes to the LEA's process; and
3. a requirement that the LEA repeat its review process in compliance with its policy.

Additionally, the LEA is required to post this order on its website.

Purpose of Memo:

Result of legislative action

Background:

Background: [Rule R277-123](#) establishes the official process for members of the public to report alleged violations of statute and board rule within the public education system. Specifically, Section R277-123-10 details the framework for the Board Review of Appeals on LEA Sensitive Materials Decisions. In alignment with the statutory requirements governing instructional and library materials in [Utah Code § 53G-10-103](#), this administrative rule allows an individual with standing (such as a parent or student within the affected LEA) to formally request a state-level review within 30 days of an LEA's final decision regarding a sensitive materials challenge. Under the specific parameters of this rule, the scope of the State Board's review is narrowly focused: the Board's legal counsel evaluates the submission strictly to determine whether the LEA violated the operational and procedural requirements outlined in the LEA's own adopted sensitive materials appeal policy. If procedural violations are substantiated, the Board maintains the authority to return the appeal to the local education agency with corrective orders or implementation recommendations.

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Attachments:

1. Sensitive Materials 07-20-26 BoardMemo-V1
2. 1-Policy (4I-204 Sensitive Materials)
3. 2-Appeal Information Packet (Fight Club)
4. 3-Appeal Committee Recommendation
5. 4-Board Meeting Minutes

6. Davis County Board Meeting