



Utah State Board of Education

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Title: Board Review of Appeals on
LEA Sensitive Materials Decisions

Draft Number: 1

Date: August 7, 2026

Rule/Statute:

[R277-123-10](#)

[53G-10-103](#)

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**This draft is for consideration during
the (08/07/2026) Committee/Board
Meeting:**

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.

Background of the Discussion: This discussion is brought before the committee following a formal appeal filed under R277-123-10 by a community member regarding a recent sensitive materials final determination made by a local education agency. Because the community member has met the criteria for



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standing and filed within the statutory 30-day window, this item has been placed on the August 2026 committee agenda for structural and procedural review. The committee will examine the evaluation provided by legal counsel to determine whether the LEA adhered to its local review policies and to decide whether a formal recommendation or procedural order should be forwarded to the full Board for action.