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HEARING RECORD

To: Utah State Board of Education

From: Ben Rasmussen, Hearing Officer

Date: September 8, 2022

Re: August 10, 2022, public hearing on Proposed Amendments to R277-609, Standards for Local Education Agency (LEA) Discipline Plans and Emergency Safety Interventions

This Hearing Record is submitted to the Utah State Board of Education ("Board") for the Board's review, evaluation, and consideration pursuant to Utah Admin. Code R15-1-5(5).

BACKGROUND

On July 15, 2022, proposed amendments to Rule R277-609 were published in the Utah State Bulletin. Three groups, Utah Parents United, the Foundation Against Intolerance and Racism, and Path Forward Utah, submitted a timely request for a public hearing. The hearing was held on August 10, 2022, before the State Board of Education.

An electronic verbatim recording of the Hearing was made and is accessible online at <https://www.youtube.com/watch?v=6cSKSOC9bxl>.

Pursuant to R15-1-5(5), the following items are attached hereto, as the hearing record:

Exhibit A	Copy of proposed amendments to Rule R277-609
Exhibit B	Requests for Hearing
Exhibit C	Notice of the hearing date, time, place, and subject on the Utah Public Notice Website
Exhibit D	Notice of Hearing posted at least 24 hours before the Hearing at the Board's office
Exhibit E	Written comments submitted by interested parties
Exhibit F	Hearing recording
Exhibit G	List of Persons who offered public comment at the Hearing
Exhibit H	Memorandum describing hearing process dated August 1, 2022

EXHIBIT A

Copy of proposed
amendments to Rule
R277-609

R277-609 received final approval by the Utah State Board of Education on June 2, 2022. R277-609 was published in the July 15, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of August 22, 2022.

R277. Education, Administration.

R277-609. Standards for LEA Discipline Plans and Emergency Safety Interventions.

R277-609-1. Authority and Purpose.

(1) This rule is authorized by:

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

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law;

(c) Subsection 53E-3-501(1)(b)(v), which requires the Board to establish rules concerning discipline and control;

(d) Section 53E-3-509, which requires the Board to adopt rules that require a local school board or governing board of a charter school to enact gang prevention and intervention policies for all schools within the board's jurisdiction;

(e) Section 53G-8-702, which requires the Board to adopt rules regarding training programs for school principals and school resource officers;

(f) Section 53G-8-202, which directs local school boards and charter school governing boards to adopt conduct and discipline policies and directs the Board to develop model policies to assist local school boards and charter school governing boards; and

(g) Section 53G-8-302, which describes the instances when a school employee may use reasonable and necessary physical restraint.

(2)(a) The purpose of this rule is to outline requirements for school discipline plans, restorative practices, and related policies.

(b) An LEA's written policies shall include provisions to develop, implement, and monitor the policies for the use of emergency safety interventions in all schools and for all students within each LEA's jurisdiction.

R277-609-2. Definitions.

(1) "Discipline" includes:

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(a) imposed discipline; and

(b) self-discipline.

(2) "Disruptive student behavior" includes:

(a) the grounds for suspension or expulsion described in Section 53G-8-205;

and

(b) the conduct described in Subsection 53G-8-209(2)(b).

(3) "Electronic cigarette product" has the same meaning as that term is defined in Section 76-10-101.

(4)(a) "Emergency safety intervention" or "ESI" means the use of seclusionary time out or physical restraint when a student presents an immediate danger to self or others.

(b) An "emergency safety intervention" is not for disciplinary purposes.

(5) "Emergency safety intervention committee" or "ESI Committee" means an emergency safety intervention committee described in Section R277-609-7.

(6) "Evidence-based" means the same as defined in Section 53G-8-211.

(7) "Functional Behavior Assessment" or "FBA" means a systematic process of identifying problem behaviors and the events that reliably predict occurrence and non-occurrence of those behaviors and maintain the behaviors across time.

(8) "Immediate danger" means the imminent danger of physical violence or aggression towards self or others, which is likely to cause serious physical harm.

(9) "Imposed discipline" means a code of conduct prescribed for the highest welfare of the individual and of the society in which the individual lives.

(10) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

(11) "Physical restraint" has the same meaning as the defined in Section 53G-8-301.

(12) "Plan" means an LEA and school-wide written model for prevention and intervention addressing:

_____ (a) student behavior management;[;]

_____ (b) restorative practices;[;]

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_____ (c) harassment and discrimination free learning; and

_____ (d) discipline procedures for students.

(13) "Positive behavior interventions and support" means an implementation framework for maximizing the selection and use of evidence-based prevention practices along a multi-tiered continuum that supports the academic, social, emotional, and behavioral competence of a student.

(14) "Program" means an instructional or behavioral program including:

(a) contracted services offered by private providers under the direct supervision of public school staff;

(b) a program that receives public funding; or

(c) a program for which the Board has regulatory authority.

(15) "Policy" means standards and procedures that include:

(a) ~~[the provisions of]~~ Section 53G-8-202 and additional standards, procedures, and training adopted in an open meeting by a local board of education or charter school board that:

(i) defines hazing, bullying, and cyber-bullying;

(ii) prohibits hazing and bullying;

(iii) requires training regarding:

(A) the prevention of hazing, bullying, cyber-bullying, and discipline among school employees and students; and

(B) the use of restorative practices, positive behavior interventions and supports, and emergency safety interventions;~~[-and]~~

(iv) provides for enforcement through employment action or student discipline and;

_____ (v) are informed and updated by data obtained through a school's climate survey as described in Rule R277-623.

(16) "Qualifying minor" means a school-age minor who:

(a) is at least nine years old; or

(b) turns nine years old at any time during the school year.

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(17) "Restorative justice program" means the same as that term is defined in Section 53G-8-211.

(18) "Restorative practice" means the building and sustaining of relationships among students, school personnel, families and community members to build and strengthen social connections within communities and hold individuals accountable to restore relationships when harm has occurred.

(19) "School" means any public elementary or secondary school or charter school.

(20) "School employee" means:

- (a) a school teacher;
- (b) a school staff member;
- (c) a school administrator; or
- (d) any other person employed, directly or indirectly, by an LEA.

(21) "Seclusionary time out" means that a student is:

(a) placed in a safe enclosed area by school personnel in accordance with the requirements of Rules R392-200 and R710-4;

(b) purposefully isolated from adults and peers; and

(c) prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

(22) "Section 504 accommodation plan," required by Section 504 of the Rehabilitation Act of 1973, means a plan designed to accommodate an individual who has been determined, as a result of an evaluation, to have a physical or mental impairment that substantially limits one or more major life activities.

(23) "Self-Discipline" means a personal system of organized behavior designed to promote self-interest while contributing to the welfare of others.

(24) "Student with a qualifying offense" means a qualifying minor who committed an alleged class C misdemeanor, infraction, status offense on school property, or truancy.

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R277-609-3. Incorporation of Least Restricted Behavioral Interventions (LRBI) Technical Assistance Manual by Reference.

(1) This rule incorporates by reference the LRBI Technical Assistance Manual, dated September 2015, which provides guidance and information in creating successful behavioral systems and supports within Utah's public schools that:

- (a) promote positive behaviors while preventing negative or risky behaviors; and
- (b) create a safe learning environment that enhances all student outcomes.

(2) A copy of the manual is located at:

(a)

<https://www.schools.utah.gov/safehealthyschools/programs/behaviorsupport?mid=5333&tid=2>; and

(b) the Utah State Board of Education.

R277-609-4. LEA Responsibility to Develop Plans.

(1) An LEA or school shall develop and implement a board approved comprehensive LEA plan or policy for student and classroom management, school discipline and restorative practices.

(2) An LEA shall include administration, instruction and support staff, students, parents, community council, and other community members in policy development, training, and prevention implementation so as to create a community sense of participation, ownership, support, and responsibility.

(3) An LEA shall include as part of the plan, parental outreach and education regarding the plan and how it can provide a discrimination and harassment free environment.

~~(3)~~4 A plan described in Subsection (1) shall include:

- (a) the definitions of Section 53G-8-210;
- (b) written standards for student behavior expectations, including school and classroom management;
- (c) effective instructional practices for teaching student expectations, including:
 - (i) self-discipline;

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- (ii) citizenship;
- (iii) civic skills; and
- (iv) social emotional skills;
- (d) systematic methods for reinforcement of expected behaviors;
- (e) uniform and equitable methods for correction of student behavior;
- (f) consistent processes to collect student discipline data and incident or infraction data, including collection of the number of days of student suspensions and data collected from the school's climate survey as described in Rule R277-623;
- (g) uniform and equitable methods for at least annual school level data-based evaluations of efficiency and effectiveness;
- (h) an ongoing staff development program related to development of:
 - (i) student behavior expectations;
 - (ii) effective instructional practices for teaching and reinforcing behavior expectations;
 - (iii) effective intervention strategies; and
 - (iv) effective strategies for evaluation of the efficiency and effectiveness of interventions;
- (i) procedures for ongoing training of appropriate school personnel in:
 - (i) crisis management;
 - (ii) emergency safety interventions; and
 - (iii) LEA policies related to emergency safety interventions consistent with evidence-based practice;
- (j) policies and procedures relating to the use and abuse of alcohol, controlled substances, electronic cigarette products, and other harmful trends by students;
- (k) policies and procedures for responding to possession or use of electronic cigarette products by a student on school property as required by Subsection 53G-8-203(3);
- (k) policies and procedures, consistent with requirements of Rule R277-613, related to:
 - (i) bullying;

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- (ii) cyber-bullying;
- (iv) hazing; and
- (v) retaliation;
- (l) policies and procedures for the use of emergency safety interventions for all students consistent with evidence-based practices including prohibition of:
 - (i) physical restraint, subject to the requirements of Section R277-609-5, except when the physical restraint is allowed as described in Subsection 53G-8-302(2);
 - (ii) prone, or face-down, physical restraint;
 - (iii) supine, or face-up, physical restraint;
 - (iv) physical restraint that obstructs the airway of a student or adversely affects a student's primary mode of communication;
 - (v) mechanical restraint, except:
 - (A) protective or stabilizing restraints;
 - (B) restraints required by law, including seatbelts or any other safety equipment when used to secure students during transportation; and
 - (C) any device used by a law enforcement officer in carrying out law enforcement duties;
 - (vi) chemical restraint, except as:
 - (A) prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and
 - (B) administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under state law;
 - (vii) seclusionary time out, subject to the requirements of Section R277-609-5, except when a student presents an immediate danger of serious physical harm to self or others; and
 - (viii) for a student with a disability, emergency safety interventions written into a student's IEP, as a planned intervention, unless:

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(A) school personnel, the family, and the IEP team agree less restrictive means have been attempted;

(B) a FBA has been conducted; and

(C) a positive behavior intervention, based on data analysis has been written into the plan and implemented;

(m) direction for dealing with bullying and disruptive students;

(n) direction for schools to determine the range of behaviors and establish the continuum of administrative procedures that may be used by school personnel to address student behavior, including students who engage in disruptive student behaviors as described in Section 53G-8-210;

(o) identification, by position, of an individual designated to issue notices of disruptive and bullying student behavior;

(p) identification of individuals who shall receive notices of disruptive and bullying student behavior;

(q) a requirement to provide for documentation of an alleged class B misdemeanor or a nonperson class A misdemeanor [~~prior to~~]before referral of students with an alleged class B misdemeanor or a nonperson class A misdemeanor to juvenile court;

(r) strategies to provide for necessary adult supervision;

(s) a requirement that policies be clearly written and consistently enforced;

(t) notice to employees that violation of this rule may result in employee discipline or action;

(u) gang prevention and intervention policies in accordance with Subsection 53E-3-509(1);

(v) provisions that account for an individual LEA's or school's unique needs or circumstances, including:

(i) the role of law enforcement;

(ii) emergency medical services;[~~and~~]

(iii) a provision for publication of notice to parents and school employees of policies by reasonable means; and

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(iv) a plan for referral for a student with a qualifying office to alternative school-related interventions, including:

(A) a mobile crisis outreach team, as defined in Section 80-1-102;

(B) a receiving center operated by the Division of Juvenile Justice Services in accordance with Section 80-5-102;

(C) a youth court; or

(w) a comparable restorative justice program.

(4) A plan described in Subsection (1) may include:

(a) ~~[the provisions of]~~ Subsection 53E-3-509(2); and

(b) a plan for training administrators and school resource officers in accordance with Section 53G-8-702.

R277-609-5. Physical Restraint and Seclusionary Time Out.

(1) When used consistently with an LEA plan under Subsection R277-609-4(1):

(a) a physical restraint must be immediately terminated when:

(i) a student is no longer an immediate danger to self or others; or

(ii) a student is in severe distress; and

(b) the use of physical restraint shall be for the minimum time necessary to ensure safety and a release criteria, as outlined in LEA policies, must be implemented.

(2) If a public education employee physically restrains a student, the school or the public education employee shall provide notice as soon as reasonably possible and before the student leaves the school as described in Section R277-609-10 to the student's parent.

(3) A public education employee may not use physical restraint on a student for more than the shortest of the following before stopping, releasing, and reassessing the intervention used:

(a) the amount of time described in the LEA's emergency intervention training program;

(b) 30 minutes; or

(c) when law enforcement arrives.

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(4) A public education employee may not use physical restraint as a means of discipline or punishment.

(5) If a public education employee uses seclusionary time out, the public education employee shall:

(a) use the minimum time necessary to ensure safety;

(b) use release criteria as outlined in LEA policies;

(c) ensure that any door remains unlocked consistent with the fire and public safety requirements described in Rules R392-200 and R710-4;

(d) maintain the student within line of sight of the public education employee;

(e) use the seclusionary time out consistent with the LEA's plan described in Section R277-609-4; and

(f) ensure that the enclosed area meets the fire and public safety requirements described in Rules R392-200 and R710-4.

(6) If a student is placed in seclusionary time out, the school or the public education employee shall provide notice as soon as reasonably possible and before the student leaves the school to:

(a) the student's parent; and

(b) school administration.

(7) A public education employee may not place a student in a seclusionary time out for more than 30 minutes.

(8) In addition to the notice described in Subsection (7), if a public education employee places a student in seclusionary time out for more than ~~[fifteen]~~15 minutes, the school or the public education employee shall immediately provide notice to:

(a) the student's parent or guardian; and

(b) school administration.

(9) Seclusionary time out may only be used for maintaining safety.

(10) A public education employee may not use seclusionary time out as a means of discipline or punishment.

R277-609-6. Implementation.

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(1) An LEA shall implement strategies and policies consistent with the LEA's plan required in Section R277-609-4.

(2) An LEA shall develop, use and monitor a continuum of intervention strategies to assist students, including students whose behavior in school falls repeatedly short of reasonable expectations, by teaching student behavior expectations, reinforcing student behavior expectations, re-teaching behavior expectations, followed by effective, evidence-based interventions matched to student needs [~~prior to~~]before suspension or court referral.

(3) An LEA shall implement positive behavior interventions, supports, and restorative practices as part of the LEA's continuum of behavior interventions strategies.

R277-609-7. LEA [~~Emergency Safety Intervention~~-(~~ESI~~)] Committees.

(1) An LEA shall establish an [~~Emergency Safety Intervention~~-(~~ESI~~)] Committee.

(2) An LEA's ESI Committee:

(a) shall include:

(i) at least two administrators;

(ii) at least one parent or guardian of a student enrolled in the LEA, appointed by the LEA; and

(iii) at least two certified educational professionals with behavior training and knowledge in both state rules and LEA discipline policies;

(b) shall meet often enough to monitor the use of emergency safety intervention in the LEA;

(c) shall determine and recommend professional development needs; and

(d) shall develop policies for local dispute resolution processes to address concerns regarding disciplinary actions; and

(e) shall ensure that each emergency incident where a school employee uses an emergency safety intervention is documented in the LEA's student information system and reported to the Superintendent through the Board's UTREx system.

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R277-609-8. LEA Reporting.

(1) An LEA shall have procedures for the collection, maintenance, and periodic review of documentation or records of the use of emergency safety interventions at schools within the LEA.

(2) The Superintendent shall define the procedures for the collection, maintenance, and review of records described in Subsection (1).

(3) An LEA shall provide documentation of any school, program or LEA's use of emergency safety interventions to the Superintendent annually.

(4)(a) An LEA shall submit all required UTREx discipline data and incident or infraction data elements, and suspensions to the Superintendent no later than June 30 of each year.

(b) Beginning in the 2018-19 school year, an LEA shall submit all required UTREx discipline data and incident or infraction data elements as part of the LEA's daily UTREx submission.

R277-609-9. Special Education Exception[({s})] to this Rule.

(1) An LEA shall have in place, as part of its LEA special education policies, procedures, or practices, criteria and steps for using emergency safety interventions consistent with state and federal law.

(2) The Superintendent shall periodically review:

(a) all LEA special education behavior intervention, procedures, and manuals;
and

(b) emergency safety intervention data as related to IDEA eligible students in accordance with Utah's Program Improvement and Planning System.

R277-609-10. Parent Notification and Court Referral.

(1) LEA policies shall provide procedures for qualifying minors and their parents to participate in decisions regarding consequences for disruptive student behavior.

(2) An LEA shall establish policies that:

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(a) provide notice to parents and information about resources available to assist a parent in resolving the parent's school-age minors' disruptive behavior;

(b) provide for notices of disruptive behavior to be issued by schools to qualifying minors and parents consistent with:

(i) numbers of disruptions, suspensions, and timelines in accordance with Section 53G-8-210;

(ii) school resources available;

(iii) cooperation from the appropriate juvenile court in accessing student school records, including:

(A) attendance;

(B) grades;

(C) behavioral reports; and

(D) other available student school data; and

(iv) provide due process procedures for minors and parents to contest allegations and citations of disruptive student behavior.

(3)(a) When an emergency safety intervention is used to protect a student or others from harm, a school shall:

(i) provide notice to the student's parent as soon as reasonably possibly and before the student leaves the school;

(ii) provide notice to school administration; and

(iii) provide documentation of the emergency safety intervention to the LEA's ESI Committee described in Section R277-609-7.

(b) In addition to the notice described in Subsection (3)(a), if the use of an emergency safety intervention occurs for more than ~~fifteen~~15 minutes, the school shall immediately provide a second notification to:

(i) the student's parent or guardian; and

(ii) school administration.

(d) A notice described in Subsection (3)(a) shall be documented within student information systems (SIS) records.

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(4)(a) A school shall provide a parent or guardian with a copy of any notes or additional documentation taken during the use of the emergency safety intervention upon request of the parent or guardian.

(b) Within 24 hours of the school using an emergency safety intervention with a student, a school shall provide notice to a parent or guardian that the parent or guardian may request a copy of any notes or additional documentation taken during the use of the emergency safety intervention.

(c) A parent or guardian may request a time to meet with school staff and administration to discuss the use of an emergency safety intervention.

R277-609-11. Model Policies.

(1) The Superintendent shall develop, review regularly, and provide to LEA boards model policies to address disruptive student behavior and appropriate consequences.

(2) The Superintendent shall provide technical assistance to LEAs in developing and implementing policies and training employees in the appropriate use of physical force and emergency safety interventions to the extent of resources available.

R277-609-12. LEA Compliance.

If an LEA fails to comply with this rule, the Superintendent may withhold funds in accordance with Rule R277-114 or impose any other sanction authorized by law.

KEY: disciplinary actions, disruptive students, emergency safety interventions

Date of Last Change: 2022~~[August 25, 2021]~~

Notice of Continuation: November 14, 2019

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53E-3-501(1)(b)(v); 53E-3-509; 53G-8-202; 53G-8-702[,]; 53G-8-302

EXHIBIT B
Requests for Hearing
(1)



July 22, 2022

Mark Huntsman, Chair, Utah State Board of Education
Sydness Dickson, State Superintendent of Public Instruction
Angela Stallings, Deputy Superintendent of Policy
250 East 500 South
Salt Lake City, UT 84111

RE: Request for hearing on proposed rule R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions.

Dear Chair Huntsman, Superintendent Dickson and Deputy Superintendent Stallings,

Please accept this letter as a request for a public hearing before the Utah State Board of Education pursuant to Utah Code 63G-3-302(2)(b). This request is made on behalf of Utah Parents United, an interested association having not fewer than ten members. This request is made not more than 15 days after the publication date of the proposed rule. The rule for which UPU is requesting this hearing is R277-609 - Standards for LEA Discipline Plans and Emergency Safety Interventions..

We have the following concerns with the rule:

1. Most racial incidents, especially where young children are concerned, are very subjective and must take into account both the offender and the one being offended. A survey erases the context and intent which greatly minimizes the opportunity for education, healing and growth. Basing policy on vague surveys that children may or may not be able to answer accurately is erasing the power of real growth for students in exchange for generalized, data-driven solutions instead of human solutions.
2. True solutions have an in-depth understanding of the problem. The problem in bullying is very personal and must be dealt with individual to individual. Impersonal, blanket solutions based on generalized data can cause more problems and division and have very little impact in truly shaping the individuals these policies are meant to protect and guide.
3. When proposing solutions that will be crafted based on surveys the following should be taken into account:
 - a. Which programs have successfully implemented programs for change based on student-generated surveys?
 - b. Are students taking the surveys seriously, or are they jokingly making designs in the answer key? Can the results be trusted?
 - c. Do the children taking the survey have a sufficient understanding of the terms being used and sufficient intrapersonal intelligence to craft reliable answers?



- d. Did the incidents being reported happen at the public school, a private school in the summer or a past school they attended in another state?
- e. Was the incident already resolved?
- f. Is there a way to follow up with the student about the incident to get further insight and with proper parental authority granted?

Thank you for your consideration of this request. We look forward to receiving notice on the date and time of the hearing.

Sincerely,

Nichole Mason, President
Utah Parents United

EXHIBIT B
Requests for Hearing
(2)

From: Jefferson Shupe <jefferson.shupe@fairforall.org>
Sent: Friday, July 22, 2022 1:53 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: RE: Request for public hearing on proposed rule R277-609

Mark Huntsman, Chair, Utah State Board of Education
Dr. Sydnee Dickson, State Superintendent of Public Instruction
Angela Stallings, Deputy Superintendent of Policy
Utah State Office of Education
250 E 500 S
Salt Lake City UT 84111-3272

Transmitted via email only

RE: Request for public hearing on proposed rule R277-609

Chair Huntsman, Superintendent Dickson, and Deputy Superintendent Stallings,

This is a request for a public hearing before the Utah State Board of Education pursuant to Utah Code 63G-3-302(2)(b). More specifically, this request is made on behalf of the Utah chapter of the Foundation Against Intolerance and Racism (FAIR), an interested association having not fewer than 10 members. This request is made not more than 15 days after the publication date of the proposed rule.

The rule for which we request this hearing is as follows:
R277-609 Standards for LEA Discipline Plans and Emergency Safety Interventions

Please share this request with all Utah State Board of Education members. Please respond with proper notice for when a hearing will be conducted. Thank you for your consideration and attention to this request.

Sincerely,

Jefferson Shupe

Utah Chapter Leader

Foundation Against Intolerance and Racism (FAIR)

www.fairforall.org | @fairforall_org



FOUNDATION
AGAINST
INTOLERANCE
& RACISM

EXHIBIT B
Requests for Hearing
(3)



The Path Forward Utah
2351 Grant Avenue
Ogden, Utah 84401

28th July 2022

Mark Huntsman, Chair, Utah State Board of Education
Sydnee Dickson, State Superintendent of Public Instruction
Angela Stallings, Deputy Superintendent of Policy

250 East 500 South
Salt Lake City, UT 84111

RE: Request for public hearing on ruling regarding House Bill 428

Dear Chairman Huntsman, Superintendent Dickson, and Deputy Superintendent Stallings,

This is a request for a public hearing before the Utah state Board of Education pursuant to Utah Code 63G-3-302(2)(b).

More specifically, this request is made on behalf Path Forward Utah, a collective of diverse Utahans with diverse thoughts, having not fewer than 10 members. This request is made not more than 15 days after the publication date of the proposed rule.

The rule for which we request this hearing is as follows: the Rule related to school bullying and HBO428.

Please share this request with all Utah State Board of Education members. We request our presentation be added to the agenda for the upcoming public hearing on HBO248. Thank you for your consideration and attention to this request.

Sincerely,
Jaime Renda - Path Forward Utah Founder

EXHIBIT C
Notice of Hearing

Entity: State Board of Education

Body: State Board of Education

Subject:	Education
Notice Title:	USBE R277-609 LEA Discipline Plans Public Hearing (Online Only)
Meeting Location:	250 E 500 South Salt Lake City UT 84111
Event Date & Time:	August 10, 2022 August 10, 2022 12:30 PM - August 10, 2022 02:30 PM
Description/Agenda:	UTAH STATE BOARD OF EDUCATION ADMINISTRATIVE RULE HEARING 1. Hearing Officer Overview and Rule Background - 12:30 PM R277-609: Standards for Local Education Agency (LEA) Discipline Plans and Emergency Safety Interventions. 2. Public Comment on R277-609 3. Adjournment - 2:30 PM
Notice of Special Accommodations:	In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call Cybil Child at (801) 538-7517, giving at least three working days notice.
Notice of Electronic or telephone participation:	This meeting will be streamed live. To view the broadcast please visit: https://www.youtube.com/c/USBEMedia .
Other information:	Board Members will participate via teleconference. Members of the public may view the meeting live at https://www.youtube.com/c/USBEMedia .
Contact Information:	Cybil Child (801)538-7517 cybil.child@schools.utah.gov
Posted on:	August 08, 2022 12:12 PM
Last edited on:	August 10, 2022 02:55 PM

Printed from Utah's Public Notice Website (<http://pmn.utah.gov/>)

EXHIBIT D
Notice of Hearing Posted



UTAH STATE BOARD OF EDUCATION ADMINISTRATIVE RULE HEARING

August 10, 2022

Board Members will participate via teleconference.
Members of the public may view the meeting live
at <https://www.youtube.com/c/USBEMedia>.

1. Hearing Officer Overview and Rule Background - 12:30 PM

- 1.1. R277-609: Standards for Local Education Agency (LEA) Discipline Plans and Emergency Safety Interventions.

2. Public Comment on R277-609

- 2.1. Public Comment

3. Adjournment - 2:30 PM

EXHIBIT E
Written Comments

R277-609. Standards for LEA Discipline Plans and Emergency Safety Interventions.

**Public Comment
Updated August 19, 2022**

From: **Cj Wilkinson** <cjscornerofthelamplight@gmail.com>
Date: Tue, Aug 9, 2022, 8:36 PM
Subject: Bullying Policy Hearing
To: Child, Cybil <Cybil.child@schools.utah.gov>

Hello USBE.

It's come to my attention that Utah Parents United have issues with the bullying policy in schools.

Their letter even goes so far as to demean students by suggesting they aren't cognitively smart enough to understand what bullying is.

This is unfortunately not surprising, as in their semi-recent documentary with John Johnson (Identity Marxism) there was a Mother who was upset that her child was being told not to bully at school, instead of the other children not being told how to simply accept bullying as a normal part of life.

Our children deserve to be in a safe and bully free environment. Children are told from a young age what bullying actually means (which is an ongoing and purposeful action/speech with the intention to do harm) and they utilize this terminology in as young as 1st grade. I know because my own IEP first grader has explained the differences to me, that are taught in school. Clearly even kids requiring accommodations of many kinds, are smart enough to know what it is.

Utah Parents United also harassed and threatened the Davis School District in MULTIPLE board meetings alongside military group "Utah Patriots" when the DOJ report of systemic racism came out in for that district, rather than take ANY STEPS AT ALL to help the district make changes or heal.

We parents who actually have students in public education ask you to leave bullying policies AND SURVEYS in their entirety as they are.

Should they ever need to be changed, we ask that you to ONLY utilize those in the community with actual education in these matters and their impact on students lives.

Children's lives matter.

Thank you.

CJ Wilkinson
Utah Mom of Four and patron of two districts.

From: Holly Olsen <hollybeth@gmail.com>
Sent: Wednesday, August 10, 2022 3:45 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Fwd: R227-609

August 10, 2022

Dear USBE,

My name is Holly Olsen. I am a parent with children in the Morgan School District, as well as the Davis School District. I am also a co-chair of GLSEN of Northern Utah, a group working to create belonging for our LGBTQ+ and minority students at schools.

I want to express my support of what has been called Izzy's Bill, HB 428 and Rule R277-609.

There is an urgent need to train our educators on anti-discrimination procedures and appropriately gather data to ensure that schools are safe places for all of our students.

Izzy's tragic death demonstrates that racism exists in our schools. I knew it was happening even before that. We were working to implement programs within the schools to encourage empathy and understanding. And this tragedy happened notwithstanding those important early efforts.

Which means it can happen and is happening in other schools that aren't taking such proactive steps.

There are too many small, consistent everyday acts of discrimination (like name-calling) that especially plague our students of color, our LGBTQ students, our neurodivergent students. These consistent acts make attending class an exercise in humiliation, anxiety and fear, and students in that state are in no condition to learn optimally. We have a duty to ensure our students are safe at school and in order to do so, we have to be able to name the thing that is happening.

We have to have a clear policy for dealing with repeat offenses -- a zero tolerance policy for repeat offenses. Students are in school to learn. When bullying persists, we need to rapidly stiffen the consequences. We have to set the standard high. This bill will assist in that process.

I stand in support of this bill, and I ask you to be thoughtful and firm in how you write the surveys. We cannot allow a whitewashing of these surveys to sugarcoat what they can reveal. Think of the value of the Sharps Survey in helping us understand our students' needs. Please be courageous in requiring a training that is direct and courageous for our LEAS. They lack the terminology to describe discrimination, in fact, in some cases they reinforce it unwittingly. I don't believe there is ill intent amid our faculty and most of our study-body, but I do believe that there is a lack of the fundamental training to be able to talk about racism and discrimination. We provide these trainings at GLSEN and help faculty advisors and students when they start GSA's. Having one place to feel safe at school can make a profound difference. Though our overall bullying numbers may seem small, they do not feel small to those students who are particularly the focus of the bullying. They are, in fact, life threatening in some cases. With this survey, please be vigilant in naming the things that need to change and helping our teachers, admins, staff, to do the same.

I'm attaching important and relevant research that is Utah specific regarding the school climate for LGBTQ+ student in Utah in 2019. Please read it and see just how prevalent the discrimination is here in Utah, and how pressing the need it for us to do something now.

Thank you,

Holly Olsen

Morgan and Davis school district parent, and advocate

GLSEN of Northern Utah

(435) 213.6087

From: Jonathan Bejarano <jbejar86@gmail.com>

Sent: Wednesday, August 10, 2022 3:39 PM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Subject: In support of R277-609

I am in support of LEAs being responsible for creating a plan to address the data we have already found in the Student Climate Survey. I find it important that we use the data that we are already gathering to benefit our students.

After signing up as a soccer coach, I had to complete training to address not only sexual harassment, but also bullying and emotional abuse as part of the Safe Sport Training. A good coach needs to come up with a game plan to help reduce their levels of bullying. All LEAs should be held accountable to HB 428. We should make a good faith effort to support the law by passing this rule as is.

Thanks,
Jonathan Bejarano

From: **Jefferson Shupe** <jefferson.shupe@fairforall.org>

Date: Wed, Aug 10, 2022 at 1:31 PM

Subject: Comments to accompany our presentation on R277-609

To: <publiccomments@schools.utah.gov>, <board@schools.utah.gov>

Cc: Alicia Alba <alicia.alba@fairforall.org>

Board members,

Thank you for holding today's hearing on R277-609. Attached is our full comment, including the detailed changes we propose.

Please reach out if you have questions, or if we can otherwise be of help.

Sincerely,

Jefferson Shupe

Utah Chapter Leader

Foundation Against Intolerance and Racism (FAIR)

www.fairforall.org | @fairforall_org

August 10, 2022

Public Comment for USBOE Proposed Rule R277-609

<https://www.schools.utah.gov/file/de735628-579d-483f-af7d-ca6077ea92d0>

The Foundation Against Intolerance and Racism is a nonpartisan, pro-human organization dedicated to advancing civil rights and liberties for all Americans, and promoting a common culture based on fairness, understanding and humanity.

As an organization, we create and promote educational resources, policies and statements that are designed to enhance trust, collaboration, and understanding among all stakeholders

(administrators, educators, parents, students, and community members). We recognize the importance of treating everyone as unique individuals who share the same common humanity. At FAIR, we believe that students should be treated as intrinsically valuable members of their school communities, regardless of their immutable traits.

It is clear that our state of Utah takes seriously the issues of harassment and discrimination, as outlined in R277-609. Creating and implementing a model for prevention and intervention which addresses such issues requires a constructive approach that recognizes the dignity and value of every individual in the school community. As we point out a few important ways we feel this rule can be improved, we want to stress that there is much to be lauded in the current draft that, for reasons of brevity, we do not address here.

Allow us to summarize our main goals.

First, we are concerned that this opportunity to emphasize the positive desired outcome of students is overshadowed by the promise of a “harassment-free and discrimination-free” learning environment. While we believe the elimination of harassment and discrimination is ideal, to promote and promise this idea to school communities may be unrealistic in the absence of specific and adequate parameters on such programming.

Second, although easy to administer and seemingly harmless, the use of surveys as a form of data collection is limited and vague. Surveys are not research-based nor do they speak to the causation of problems such as harassment and discrimination. The responses may not be an accurate representation of the problems, as students may respond according to societal norms or pressure and provide answers that do not reflect reality. Survey data may be limited in scope such that they do not adequately inform us who is discriminated against in order for us to help individuals needing assistance. Surveys often include inquiries that are intrusive in nature, which require advanced parental consent for participation, thereby naturally limiting the sample of responses. (The Protection of Pupil Rights Amendment which requires advanced parental consent before students may participate in certain intrusive surveys funded by Federal Department of Education dollars; Utah Code section 53E-9-203 mirrors this requirement and applies to all such surveys regardless of funding source.) While it is not our stance that surveys have no place here, we will note specific areas of caution as well as some proposed rule changes.

Finally, we commend the authors of this rule and related laws for the desire to track improvement through data collection. However, we urge caution on the selection of metrics, the interpretation of data, and the level to which it is used to drive decisions. We recommend careful consideration on the psychological effects of questions to students, possible unintended incentives that could result in under-reporting or over-reporting, and a natural temptation to reach conclusions on a complex situation based on limited information.

Proposed Changes:

1. **R277-609** currently defines:

54 (12) "Plan" means an LEA and school-wide written model for prevention and

55 intervention addressing:

56 (a) student behavior management;[,]

57 (b) restorative practices;[,]

58 (c) harassment and discrimination free learning;

Without adequate parameters on what defines or constitutes “harassment and discrimination free learning,” this language frames the issue negatively, focusing on what we are against rather than what we want to build, and creates a vague standard that may be misused or misconstrued. We support a clearer rule that helps to build capacity in students and communities through connectedness and a refocus on excellence for all.

We can work towards greater trust and unity, which ultimately can lead to less discrimination and harassment, by encouraging positive interactions and opportunities for additional connections between home and school.

We propose the following replacement (changes in bold):

(12) *“Plan” means an LEA and school-wide written model for **promoting:***

(a) positive student interactions;

(b) personal responsibility and self-agency for actions;

(c) family relationships (to include culture and beliefs)

2. R277-609-4 LEA Responsibility to Develop Plans: (3) An LEA shall include as part of the plan, parental outreach and education regarding the plan and how it can provide a discrimination and harassment free environment. ([3]4) A plan described in Subsection (1) shall include: (a) the definitions of Section 53G-8-210; (b) written standards for student behavior expectations, including school and classroom management; (c) effective instructional practices for teaching student expectations, including: (i) self-discipline; (ii) citizenship; (iii) civic skills; and (iv) social emotional skills; (d) systematic methods for reinforcement of expected behaviors; (e) uniform and equitable methods for correction of student behavior; (f) consistent processes to collect student discipline data and incident or infraction data, including collection of the number of days of student suspensions and data collected 150 from the school’s climate survey as described in R277-623; (g) uniform and equitable methods for at least annual school level data-based evaluations of efficiency and effectiveness;

Here we feel that efforts can be maximized to address promoting positive change through relationship building and refocusing on excellence for all.

We propose the following replacement (additions in bold):

*(3) An LEA shall include as part of the plan, parental outreach and education regarding the plan and how it can provide a discrimination and harassment free environment **welcoming and unifying environment for all individuals.** ([3]4) A plan described in Subsection (1) shall include: (a) the definitions of Section 53G-8-210; (b) written standards for positive student behavior expectations, including school and classroom management; (c) effective instructional practices for teaching student expectations, including: (i) self-discipline **self-agency**; (ii) citizenship; (iii) civic skills; and (iv) social emotional skills; (d) systematic methods for reinforcement of expected behaviors; (e) uniform, equitable **and constructive** methods for correction of student behavior; (f) consistent **lawful** processes to collect student discipline data and incident or infraction data, including collection of the number of days of student suspensions and data collected 150 from the school’s climate survey as described in R277-623; (g) uniform and equitable methods for at least annual school level data-based evaluations of efficiency and effectiveness **which ensure the privacy of individuals in the school community are respected.***

While some of the proposed phrasing on the data collection may seem redundant when considering other laws and rules that are already in place, we feel that this may still be warranted, considering the apprehension of surveys for the reasons discussed here. This phrasing can strengthen the rule, and demonstrate the commitment to keeping any surveys under the appropriate restrictions.

We advise that outsourcing surveys to a third party vendor must be done with care to ensure that the goals of this vendor align with the district’s, that there are robust privacy protections in place, and that they are administered in compliance with local and federal laws regarding parental notification and permissions for minors. In our experience, third-party surveys often construct questions and language that are ideological, intrusive, or overly personal in nature. Careful consideration should be given as to the content of any survey(s) used, and whether parents will be asked to provide permission for students to engage in survey questions. We recommend questioning whether the intended purpose of the survey can be implemented in another way, keeping the direct control and discretion of school decisions in the hands of decision makers at the school level.

With any survey, we trust that there will be vigilance ensuring it stays in compliance with rule 277-623 and the language found in the model surveys.

Here at FAIR we strive to find ways to bring people together on these issues. Surveys are not necessarily an inappropriate tool for data collection, but they can lead to unintended issues, especially when administered to children. The simple posing of an innocuous survey question can say volumes to a child and affect their focus and thinking going forward, and this can be exacerbated if there is continued emphasis by the faculty. I have first-hand experience with this both as a student in the 90's and as a parent today. Noble intentions taken too far can sometimes bring more suspicion and fear than is warranted among our students. Hence the more positive framing in our suggestions.

If implemented, we need to be very clear that surveys are limited in scope and that they are to be administered in a way that is not ideological, that respects privacy of school community members, and that aligns with best practices and state laws.

We all want the same outcomes for our students: for them to be academically, socially and behaviorally successful in and out of the classroom learning environment. We want to have open communication with families to bridge any gaps and ensure consistent expectations in these areas. The way forward is by working together with families and communities, promoting positive school climates which do not overly rely on surveys, but through programs that unite and build capacity for all students, equally, while prioritizing excellence for all.

Again, we applaud the board on these efforts to provide safe learning environments for our students. While we have shared earnest concerns on this rule, we hope that the board sees FAIR Utah as an ally and partner on these and other efforts—especially ones that align with our mission of seeking fairness, understanding, and our common humanity among students, educators, parents, and all involved in this great work of education. If anything from today's hearing sparks further questions or an idea of collaboration between us, please reach out to us so that we can learn how we may be of help.

Respectfully,
The FAIR Utah Team
Jefferson Shupe, State Chapter Co-leader
jefferson.shupe@fairforall.org
801-786-9487
Alicia Alba, State Chapter Co-leader
alicia.alba@fairforall.org

From: kelly jones <redhead8@comcast.net>
To: "board@schools.Utah.gov" <board@schools.Utah.gov>
Cc: "lbelnap@utahonline.org" <lbelnap@utahonline.org>
Date: 08/10/2022 2:42 PM
Subject: Public Comment in support of R277-609

August 10, 2022

Dear USBE Board,

My name is Kelly Jones. I am an educator, parent in Davis School District, and co-chair of GLSEN of Northern Utah, a group working to create belonging for our LGBTQQIA+ students at school.

I speak today in support of what has been called Izzy's Bill, HB 428 and Rule R277-609. We have a pressing need to train our educators on anti-discrimination procedures and appropriately gather data to ensure that school is safe for all of our students.

When Izzy Tichenor passed away our Davis community was confronted with the stark reality that racism exists in our schools. But we knew it was happening even before that. We were working to implement programs within the schools to encourage empathy and understanding. And this tragedy happened notwithstanding those important early efforts. If it can happen in Davis, it is happening in other districts that aren't taking such proactive steps.

We knew it was happening when students at a football game chanted "build the wall" at their Latino peers at a rivalry game; when a Black student was physically dragged by a school bus, his backpack caught in the door. We knew when we learned that Bountiful's football team had a "trail of tears" set up for their opposing team to walk. These are incidents that made the news in our community. But more concerning still are the incidents that didn't make the news. The smaller, consistent everyday acts of discrimination that especially plague our students of color, our LGBTQ students, and our neurodivergent students. These consistent acts make attending class an exercise in humiliation and fear, such as what one non-binary student experiences in the halls of their school, where they are barked at by the same group of students every time they see them. We have a duty to ensure our students are safe at school and in order to do so, we have to be able to name the thing that is happening.

We have to have a clear policy for dealing with repeat offenses. When a gay student in Davis was spit on during the height of Covid, it wasn't an isolated incident. The perpetrator had already cornered them in a bathroom. They stood outside where the buses came and screamed obscenities at them as the bus drove off. It wasn't an isolated incident, but it took three calls to sit down with administrators, and it didn't get the immediate attention it deserved -- a zero tolerance policy for repeat offenses. Students are in school to learn. Sometimes my own students have needed correction and the ability to self-correct is a valuable skill for first offenses. But when it persists we need to rapidly stiffen the consequences. We have to set the standard high. We cannot accept "kids will be kids," but rather work to educate so we can all do better.

After Izzy died by suicide, my district put out a video series to help students work to identify bias and change course as needed, called "No More, Not Here." I was so encouraged that they were taking active steps to make change, and I believe there is a desire to make that change. Our WX Community Council explicitly asked for this program in our school and were thrilled when the district adopted it for all the schools. This bill will assist in that process of educating about bias. But what those videos *never* did, was say the word racism. And they need to say the word if we have any hope of fixing things.

I stand in support of this bill, but I ask you to be thoughtful and firm in how you write the surveys. We cannot allow a whitewashing of these surveys to sugarcoat what they can reveal. Think of the value of the Sharps Survey in helping us understand our students' needs. Please be courageous in requiring a training that is direct and courageous for our LEAS. They lack the terminology to describe discrimination, in fact, in some cases they reinforce it unwittingly. I know this because I meet with administrators and still hear things like

“homosexual lifestyle” which as we know is merely gay people living their life, but carries the sting of discrimination. I don’t believe there is ill intent, but I do believe we as educators lack the fundamental training to be able to talk about racism and discrimination. We provide these trainings at GLSEN and help faculty advisors and students when they start GSA’s. Having one place to feel safe at school can make a profound difference. With this survey, please be vigilant in **naming the things that need to change** and helping our teachers, admins, staff, to do the same. Our students can be part of the solution, if we help them identify the areas to grow.

Thank you,

Kelly Jones
Davis parent, educator, advocate
GLSEN of Northern Utah co-chair
(801) 599-7834
redhead8@comcast.net
www.GLSen.org

From: larevedere@comcast.net <larevedere@comcast.net>

Date: Wednesday, August 10, 2022 at 1:36 PM

To: Board of Education <board@schools.utah.gov>

Subject: Public comment Board Rule R277-609

I am Polly Parkinson. I speak today as a parent and also a licensed teacher. As a parent, I spent many years as a weekly volunteer in my children’s classrooms, a fundraiser, and a member of school and community councils. I have 16 years of experience in Utah as a K-12 arts educator, a home room teacher, and a K-6 library manager and teacher.

In my experience as a parent and a teacher, students cannot learn if they do not feel safe and welcome.

Children need to know that the adults in their lives have a plan to help, if things go wrong. It is the same reason why we have earthquake, fire, and lockdown drills and plans in place.

The main thing here is that to support schools better addressing bullying, and knowing if it is racially related, this rule change is important.

We must require schools to collect more information about students who are being bullied. This information includes identifiers such as gender, disabilities, age and race. We need to understand how student perceive their school situation. This will help schools to better understand the nature of bullying.

Schools need to be responsible for harassment plans and data reporting. We have so many excellent teachers. Each teacher has different experiences as a person and as a teacher, so they vary in how well they naturally respond to bullying incidents in their classrooms. I think we can all agree that we do not want students to be bullied because of their race or their abilities or any other reason. If schools have plans in place and teachers are trained on how to respond, then we are solving the problem. If we collect data on incidents that occur, then we have information to inform our future plans.

We can’t work to prevent harassment if we don’t have teams looking into the data about our school climate.

Also we already report race on a variety of school data, so why would we exclude race when it's being used to support students and make sure our buildings are inclusive?

Why not try for 100 percent success? We owe it to children aim for the best. Let's gather all the important information and give this our very best effort.

Thank you

Thank you,
Polly
Salt Lake City

From: Terra Cooper <terracooperphoto@gmail.com>
Sent: Wednesday, August 10, 2022 3:37 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Fwd: HB 428

It had been brought to my attention that Utah Parents United has issues with HB 428.

First, they have issues with students taking surveys.

It depends on how the survey is written, the intention of those writing it, and how it is used. A survey can serve as due process and a trusted adult can help the student answer the questions to ensure the answers accurately reflect the student's experience. The survey may serve as a foundation for restorative justice. Having that data can allow administrators and counselors to look for patterns and ways to address deeper rooted social issues. A survey itself isn't a threat- it would be the way it is written, the intention and how the process is implemented that could cause potential harm. Surveys can use data to find actual solutions to problems and find out what problems there actually is.

It's ironic that they would have issues with this because they (Utah Parents United) write the most biased surveys I've ever seen. Take for example their most recent survey. (see attached screen shots) or find their survey here:

https://www.surveymonkey.com/r/VDJXKV3?fbclid=IwAR1alvGVThSuMB_nFBUXhAmd55JBOgm7aLQZmXY2OijjMo0kHyW6NQBjR1A&fs=e&s=c

#1. They don't allow for parents to not select an option that they don't have a concern with and have clearly chosen specific terms to further their agenda. They can then use this data for example to say that parents think "indoctrination" is their 2nd highest concern, when in reality, parents were not able to voice their own concerns and had their set ones to choose from and it may not be a concern at all, but all options were required when ranking.

Survey question # 1: What concerns you the most as your children return to school? Please rank them in order of what is most concerning to you in the first position to what is least concerning in the last position:

- Bullying
- Indoctrination

- **Lack of life application in what is taught**
- **Lake of transparency**
- **Too much online learning**
- **Pornographic materials in schools**

The entire survey is badly written. Here is yet another example of how they are phishing and leading the respondent:

Survey question # 9: How has Utah Parents United helped you navigate your concerns?

By adding the “how” it leads the respondent to have to answer in a positive way.

There are many more issues I have with this particular group thinking they have any idea on how to write a helpful and data driven survey, but I will leave that up to the experts that I trust in our school districts who have actually had training and classes on this subject, as they have not.

Their concern #1 with racial incidents is completely wrong. They want to excuse the offender by saying racist acts and words are “subjective”.

Racism is not subjective and as they have it written, they are making the offender into a victim as well. The offender is not the victim. Even if it is a younger child, that child must be taught that THEY are the ones at fault in the situation and teach them why. We must never further victimize the victim.

This group, UPU, espouses white supremacist ideology at every turn. We must never normalize their beliefs and for sure never put them into our school systems. They currently are banning books under the guise of “pornography” when many on their list have been found to not be pornographic, rather written by diverse authors or about diverse characters.

Banning books or “book burning” won’t help-and let’s be honest-teenagers aren’t reading porn, it’s on their phones. In fact, banning books doesn’t actually stop anyone from being able to get access to the text anymore; it often just results in more copies of the book being produced and sold. Even more so when done on a large scale where the list is published, which gets other people curious about the work.

As George R.R. Martin said, “When you tear out a man’s tongue, you are not proving him a liar, you’re only telling the world that you fear what he might say.”

UPU is trying to silence children. They don’t want them to learn or have a voice. They are afraid of what they may learn. They are afraid learning actual history will cause them to hate their white skin (because this group does not believe in diversity being taught). They are trying to destroy our public school system and replace it with charter and private schools (just like these groups did after Brown vs the Board of Education).

If we don’t learn from history, we are bound to repeat it. This group and their beliefs are not new. Just go back and you will find it in every decade of our history. Any concern this group has should NOT be taken as a majority voice in our state. They are backed financially by outside sources and have a national agenda that they follow. They are NOT the voice of Utah parents, students or teachers.

I would LOVE to have the state write a survey asking parents and teachers about what they really think of this group. I started a group, Utah Parents for Teachers and have heard from many what they really think and let’s just say, they believe this group is dangerous, harmful and

is only causing our students harm. Please stop listening to this extremist minority of parents (whose founders came from out of state to start this group to damage our schools and are backed by untraceable funds) and start listening to our actual parents who have lived here for many years and teachers who love their students and are doing an amazing job.

Thank you for your time.

Terra Cooper

From: Alison Squire <ali_g18@hotmail.com>
Sent: Tuesday, August 9, 2022 11:06 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: Izzy's bill

My name is Alison Squire. I live in North Salt Lake and I have three daughters. My youngest attends Foxboro Elementary, where Izzy Tichenor went to school. We were deeply saddened and disturbed at the news of her passing. Todd Weiler is our representative and we appreciate that he cosponsored HB 428 with Rep. Hollins. This bill is important for the safety of all of our students. Some groups of students are targeted more than others. As was brought to light by the report from the DOJ, students of color are especially vulnerable here in Davis County. Tracking data of students who are bullied is important in understanding how we can get to the root of these problem and help more students feel safe. Izzy deserved better and all of our students deserve better. Thank you.

From: Carly Bingham <carly.bingham@gmail.com>
Sent: Wednesday, August 10, 2022 8:30 AM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: support for HB428

Please support this bill AS IS. thanks you

--

Carly

From: Connie Griffis <cgriffis65@gmail.com>
Sent: Thursday, August 11, 2022 8:42 AM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: HB428

I support this bill EXACTLY as written.

Please don't allow outside influence to impact the way our children have access to education. They deserve to have access to a plethora of information, which should not be determined by PAC money!

Super concerned parent and citizen,

Connie Griffis

--

Connie

p.s. In a world where you can be anything, be kind.

From: Jasmin Cruz <cjasmin40@gmail.com>
Sent: Tuesday, August 9, 2022 10:42 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: Comment on HB428

To whom it may concern;

I want to make a public comment in favor of bill HB428. I would like to state as a latina mother of two children with needs, I want the USBE to put in place rules for school districts to create a plan for harassment and discrimination free learning. My children have faced teasing/bullying here in Utah and it's concerning that schools and other institutions have not seriously taken these issues.

Thank you for your time.

- Jasmin Cruz

From: Coy Compositions <pardus.karina@gmail.com>
Sent: Thursday, August 11, 2022 2:44 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: Public comment on HB 428

To whom it may concern,

I am a parent of school aged children in West Jordan, UT, in the Jordan school district.

I understand that HB 428 and related amendments are currently under question. My understanding is that this bill and its counterparts outline the ways teachers and schools handle the training and policies surrounding bullying, diversity, and inclusion.

Having a transparent, consistent procedure for these situations is so important to the physical and mental health, as well as the safety of our children. I have witnessed personally as a parent, the harmful effects of bullying against my children and the children of others, which impacts their learning and extends far beyond the classroom to how they treat others and their home life.

Please do not remove this procedure and policy. Please, for the wellbeing of our children, for their learning and preparation to one day lead our society with grace, compassion, and strength, continue the work of training, educating, and expanding these diversity and emotional resilience trainings.

I authorize this statement to be a public comment in these proceeding, and thank you for your consideration.

-Karina Pardus

From: Netell Johnson <netelli@gmail.com>
Sent: Wednesday, August 10, 2022 8:53 AM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: HB428 Support

Hello Cybil!

As a mother of children attending public schools in Utah (my children currently attend in Alpine School District), I am writing to let you know I support HB428 as it is currently written.

Warmest Regards,

Netelle
Villa Azul Celeste
<https://www.azulcelestevilla.com/>

Exceptionally rated on VRBO
<https://www.vrbo.com/2582304>

Find us on Facebook
<https://m.facebook.com/Villaazulceleste/>

From: Priscilla Villasenor-Navarro <Priscilla.Villasenor@uvu.edu>
Sent: Tuesday, August 9, 2022 10:47 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: HB 428 Support

Hello!

I was recently informed that tomorrow there will be a public virtual hearing regarding the HB 428 bill. I am wondering if there is a chance for me to be able to be a part of this hearing in support

for the bill. I know the time is from 12:30-2:30, but I would only be able to attend after 2. Please let me know if there is a chance for me to speak about my support for this bill and why.

Thank you!

-Priscilla

From: Rebecca Charlton <beccadawn23@gmail.com>
Sent: Wednesday, August 10, 2022 6:15 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: Support for R277-609

I firmly support creating protocols and rules to reduce harm reduction related to bullying, discrimination and racism. Utah has ignored this problem for too long. Many charter schools have ignored the problem completely. Living in ignorance does not eliminate harm for those impacted.

The rules proposed seem fair and data-driven. I believe they will help create a more equitable system for Utah's children. I urge you to consider my support. We don't need more hearings. Simply because a group names itself "Utah parents United" does not mean it speaks for all parents. Those of us who oppose their conservative and often pro-discrimination and anti-education policies also deserve a seat at the table.

Rebecca Charlton, RD MPH
Utah State University
661-208-1451

From: Victoria Foote <victoriafoote@mail.weber.edu>
Sent: Wednesday, August 10, 2022 3:05 PM
To: Child, Cybil <Cybil.Child@schools.utah.gov>
Subject: Public Comment in support of R277-609

I have two students currently enrolled in school. A 9th grader and and 11th grader. My 23-year-old also finished his education here in Utah. I have found that Utah can be an accidentally segregated Society. People live and very strongly by their beliefs and their cultures. The dark side of this is the exclusion and Judgment of those outside of that culture. Human beings come in all forms. Freedom and agency are beautiful thing and a god-given right. We are after all one human family. I have seen children as a substitute teacher for the Weaver School District be ostracized and bullied to the point of mental health issues. I have seen parents and teachers desperate for help to make a safer community for all their students. This includes students that seem to fall into the social status that is considered the norm and for students who fall outside and are On The Fringe. America as a whole has a problem with adolescents suffering from mental health issues. Here in Utah we have a responsibility to all our children. To all the families that come from all kinds of backgrounds to ensure a school environment that Fosters inclusion

and harassment free education. That enables students to not only academically grow, but to also socially and emotionally grow. We have an obligation to nurture and protect all children. If one child is lost and we have lost a few children to believe, it is a grave loss for our whole community. Because the one child represents the hundreds of children who are suffering in silence. I support this with all my heart. I support this with all my voting power. There is a large growing group of parents, teachers and administrators that have seen the extreme prejudice against certain communities and against children. We are gathering our sources and we are making ourselves strong, because in the end we know we must honor the promise we made when we became parents. I will not only fight for my child, but I will fight for yours as well, this is our mentality. We're not going away and we're not accepting no for an answer. Protect all children

From: zydeco QT <zydecoqt@live.com>
Sent: Friday, August 12, 2022 10:06 AM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: New bullying policy comment

It's very difficult to find the proposed policy so commenting on it is also difficult; however, I would like to address problems I heard while working as a traveling speech-language pathologist in the public schools:

1. Kids are told if they see something or experience something themselves to say something. However, when they do report to a teacher they are told "stop tattling" or "just ignore them". This has to stop. It's not helping but rather making the problem worse. It sends mixed messages. The reporting child needs to be acknowledged rather than be brushed aside. Perpetrators need to be dealt with immediately.
2. Why is there a special definition of a child? An LGBTQ child? A black child? ALL ARE CHILDREN. Any child, regardless of any personal characteristic, is a child.
3. School classrooms should address the issue and make clear it there will be zero tolerance and consequences.
4. Parents should be made aware there will be zero tolerance and what the consequences will be. They should also receive information about how to know if their child is being bullied and what to do about it.

Thank you for considering public comments and for addressing this heinous problem in our schools.

Suzann Withers
Salt Lake City

From: Stephanie Rokich <srokich@gmail.com>
Sent: Monday, August 15, 2022 2:22 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

August 15, 2022
Re: R277-609 and HB428

Esteemed School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Stephanie and I am the parent of a child in the Utah education system.

I am writing to you as a concerned community member and mother to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

I remember being bullied in middle school. Looking back on it now, I realize how much worse the bullying could have been, yet how much it affected my confidence and happiness. Luckily I had a parent who had time and capacity to connect with my school about it, and a teacher who also had the capacity to help. Knowing others were on my side made a big difference.

As parents, we would do anything to keep our children safe and happy. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and listening sessions. For this reason, school safety plans should include a framework for parental outreach and education – a provision that is already established by HB428.

I need to know that my child and all children are safe at school and that there are measures in place to address bullying or harassment. This could include a single point of contact at her school, a meeting with school administrators, a clear understanding of what happens when an incident is reported, etc.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Stephanie Rokich

From: Taryn Roch <tarynroch@gmail.com>
Sent: Monday, August 15, 2022 6:28 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: R277-609 & HB428

Esteemed School Board Members:

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Taryn Roch and I am a resident of Salt Lake City. I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609. I have the privilege of interacting with teachers, administrators and parents in my day-to-day work, and many of them have shared with me the increase in bullying and harassment in their buildings. Many of them seem at a loss about how to handle it or what to do about it, leaving impacted students with few options to get the support that they truly need. Beyond this I have heard from students of color about their ongoing experience with racism in school and how isolating and defeating that experience can be on a daily basis. I know there are so many committed adults in education who want to do better on behalf of their students and communities - they need our help to do that.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. I would also love to see more training for staff and administrators while also holding them accountable when incidents do occur. It is not a child's job to "protect themselves" at school – their job at school is to learn. I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all kids in Utah.

Thank you!!

Sincerely,
Taryn Roch

From: Crystal Low <Crystal.Low@zionsbancorp.com>
Sent: Tuesday, August 16, 2022 11:08 AM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

Appreciated School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Crystal Low and I am the parent of Tuxton Low in the Utah education system. I am writing to you as a concerned community member and mom to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As a child I was bullied in school so have first hand experience of how this negatively impacts students and families. I am fortunate to have a strong support system around me and overcame the bullying. As an adult, I have a nephew who has been bullied to the point where he has considered suicide and has transferred schools to escape the torment and fear. Bullying and discrimination need to be stopped. To be stopped it needs to be understood by all, especially the leaders within schools and ALL parents. Please pass this bill so we as a community can learn and grow together, along with instilling accountability for actions, in the effort to end bullying and discrimination.

As parents, we would do anything to keep our children safe and happy. We would die for our children. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and listening sessions. For this reason, school safety plans should include a framework for parental outreach and education – a provision that is already established by HB428.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah. Respectfully,

Crystal Low, MBA
Executive Vice President
Senior Business Support Manager
TREASURY MANAGEMENT

7860 S. Bingham Junction Boulevard, 1st, Midvale, UT 84047
P: (801) 844-7115 | E: crystal.low@zionsbancorp.com
She/Her/Hers

From: Ferguson, Callah C <ccferguson@graniteschools.org>
Sent: Wednesday, August 17, 2022 2:32 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

August 17, 2022

Esteemed School Board Members:

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Callah Ferguson and I am a teacher at Kearns Junior High School in Granite School District. Thank you for your dedication to the important work you do and for taking time out of your day to read this letter.

I have been teaching for 11 years. I am writing to you as a concerned educator to express my support for full implementation of House Bill 428 "School Safety Amendments" and USBE Rule 277-609. Thank you for the work you have done to prioritize the safety and well-being of our students. Implementing better data collection and identifying when instances of bullying and/or harassment are racially motivated are important steps.

We have seen the tragic impact bullying can have on a child's life. I don't like being told by students that they don't say anything because they don't think anything ever gets done. We need to make a change, and this is a step in the right direction. Hopefully, this can help students focus more on their learning and less about being bullied or harassed.

Sincerely,
Callah Ferguson
6th grade math
Kearns Junior High

From: Thelma Vazquez <thel.mk26@yahoo.com>
Sent: Thursday, August 18, 2022 12:52 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: R277-609 & HB428

My name is Thelma I am mother of 3 I have 2 in the granite school district of Utah.
Thanks for read my letter/comment.

I am not just mother but also a community member I been worried about the problem that is impacting our lifes and affected my sons, emotionally and academic too.

We been through to much lately and i really support the law 428, and the Izzy law 277-609 USBE.

I NEED to work with the schools, community and family to protect our children and keep them safe .

No one deserves to suffer of bullying or any kind harassment so please help us to achieve this wish, that every loved family have.

Maria Telma Vazquez

From: Dorie Kim <dorie.imamura@gmail.com>
Sent: Thursday, August 18, 2022 3:22 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: R277-609 & HB428

Dear School Board Members,

Thank you for your ongoing efforts, consideration, and decision-making in ensuring our students are supported, empowered, educated, and feel safe at school. My name is Dorie Kim and I am a parent and former educator of children in the Utah education system. Thank you for your time in reading my email today.

I write to you as a concerned mother community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill", and USBE Rule 277-609. I grew up in the Utah school system and unfortunately experienced racial discrimination and bullying. At that time, there weren't any systems, laws, education, or rules in

place to properly handle bullying. Now we know more about bullying with a plethora of research-backed studies that show us how to prevent it, watch for signs, and properly handle it so that the victims are protected and supported. Now that we know better, I feel strongly that we should do better.

As parents, we want nothing more than for our children to feel protected and supported at school by their peers, teachers, and administrators. We do all we can to help our children thrive and feel safe and school should be a place where students, parents, teachers, and staff all feel safe. Having clear expectations, consequences, and procedures in place to handle cases of harassment and bullying is essential for safe schools. We need definitions, consistent processes, listening sessions, and proper training which is why school safety plans should include a framework for parental outreach and education as established by the HB428.

I'm aware of special interest groups opposing the implementation of this rule, which is unfortunate. My children need to not only feel supported but have systems in place that will support them in the horrible even that harassment and bullying occur. Children are at school to learn, not to handle bullies and harassment alone. I urge you to implement R277-609 and create safe learning environments for all children in Utah.

Sincerely,
Dorie Kim

From: Alexis Bucknam <alexisbucknam@yahoo.com>
Sent: Thursday, August 18, 2022 4:04 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

August 18, 2022
Re: R277-609 and HB428

Esteemed School Board Members,

My name is Alexis Bucknam and I am a resident of Holladay in the Granite School District. Thank you for your dedication to the important work you do and for taking time out of your day to read this letter.

I am writing to you as a concerned community member to express my support for the full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As a young person, I had the difficult experience of being bullied. I entered into a deep depression including having moments of suicidal ideation because I felt helpless. I surfaced the issue with my parents and when they approached the school administration the response from the school was "boys will be boys". It was a very difficult time that is still hard to reflect on after thirty years. Suffice to say, when I heard the news about Izzy's death by suicide my heart broke.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to ensure sure students feel safe at school.

I am grateful that I survived my bullying experience and I want every student in Utah to feel like school is a safe and supportive space.

It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Alexis M. Bucknam, Ed.D.
2280 E. Carriage Lane, Unit 91
Holladay, UT 84117

From: Daela Tipton <daetaeti@gmail.com>
Sent: Thursday, August 18, 2022 7:14 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

Dear School Board Members,

My name is Daela Taeoalii-Tipton and I am a lifelong resident of Salt Lake City. Thank you for your work and for reading this.

I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As a queer, multiracial person I have personally experienced teachers in the Salt Lake City school district who were unwilling or unable to properly address unsafe school settings. Reading about izzys story was heartbreaking- in part because it was not completely surprising based on experiences I've had as well as those of my friends and family. Your opportunity to do more about this is important and necessary.

Please implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Daela Taeoalii-Tipton

From: Samantha Stott <sgstott@gmail.com>
Sent: Thursday, August 18, 2022 7:19 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: R277-609 and HB428

August 18th, 2022
Re: R277-609 and HB428

Esteemed School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Samantha Stott and I am a resident of Salt Lake City.

I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As a child in the Utah school systems, I had the privilege of being white and allistic. I had good social skills and my educators and peers shared the same or similar cultural and racial background. I did not personally experience bullying, but I did witness it among my peers. More often than not, the kids being bullied were either not white or not allistic. Izzy is a clear example of the violent dangers that ignorance and misrepresentation will cause. What happened to Izzy is tragic; we can not, as a community, let this happen to any child ever again.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to protect kids.

It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe.

I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Samantha Stott

From: Giana Petrichella <gpetrichella@gmail.com>
Sent: Thursday, August 18, 2022 7:21 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428 - for Izzy

Esteemed School Board Members,

Thank you for taking the time to read this message and for all the important work you do. My name is Giana and I am the parent of Jude in the Utah education system.

I am writing to you as a concerned community member and [mother/father/guardian] to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As parents, we would do anything to keep our children safe and happy. We would die for our children. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and listening sessions. For this reason, school safety plans should include a framework for parental outreach and education – a provision that is already established by HB428.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,

Giana Petrichella

From: Agustin Diaz <agustin.tino.diaz@gmail.com>

Sent: Friday, August 19, 2022 12:19 AM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Subject: Concern about R277-609 and HB428

Esteemed School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Agustin Diaz and I am the parent of two children in Alpine School District.

I am writing to you as a concerned community member and father to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As a child I was bullied all the time. My parents were hard working immigrants to the country and were not available nor had the courage to engage my school system about what was

happening. Instead, I kept most of it to myself. There were no resources for my parents to assist. It wasn't until high school when I approached a teacher about what was happening. This allowed my parents to be involved but the school needed more support with what was happening. Eventually, I became a lost file but maintained a relationship with my teacher who helped me through everything and eventually connected me to an outside therapy source.

As parents, we would do anything to keep our children safe and happy. We would die for our children. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and listening sessions. For this reason, school safety plans should include a framework for parental outreach and education—a provision that is already established by HB428. I need schools to take this seriously and that can't happen without support from the state. This means having a single point of contact at our school, a meeting with school administrators about this issue specifically, and a clear understanding of what happens when an incident is reported.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school—their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,

Agustin and Tara Diaz

From: Elizabeth Garbe <elizabeth.garbe@uw.org>

Sent: Friday, August 19, 2022 1:00 PM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Cc: Bill Crim (he/him) <bill.crim@uw.org>; Dickson, Sydnee <Sydnee.Dickson@schools.utah.gov>

Subject: UWSL Letter re: R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions

Please find attached letter in support of R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions.

August 19, 2022
Utah State Board of Education
PO Box 144200
Salt Lake City, UT 84114-4200

Re: R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions

Dear Utah State School Board Members:

On behalf of United Way of Salt Lake (UWSL), I am writing to express our support for Rule 277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions, as adopted by the Board. We appreciate the work you have done on this rule. UWSL's Board of Directors is comprised of 40 business and community leaders, representing a diverse group committed to working in partnership with educators to ensure students are successful in school and life, and families are financially stable and healthy. Supportive and safe environments are foundational to achieving these results.

Educators and administrators are tasked with the tremendous responsibility of not only educating Utah students, but also keeping them safe. It is not a child's job to "protect themselves" at school – their job at school is to learn. It is our legal obligation and moral duty to ensure their safety. We commend you for the work you've done so far to prioritize the safety and well-being of our students. Putting more efficient mechanisms in place for data collection and identifying when instances of bullying and/or harassment are racially motivated are important steps.

UWSL agrees with the educators and parents who testified at the August 10 hearing who asked for the Board to do more. Training for teachers, administrators, and faculty in schools on how to support students who experience discrimination and/or harassment and adequately disciplining the perpetrators of this behavior is necessary. During the public hearing on this matter, a teacher mentioned various experiences where students confided in her that they often don't report instances of bullying or harassment because "nothing ever gets done anyways." This must change.

Parents, students, and teachers need and want clear expectations for how schools will handle instances of harassment, set definitions, and implement consistent processes. These cannot only be informed by perpetrators, but must include the voices of those being harmed. The surveys used are important data points in developing sound solutions, and are only one of the data points necessary to address the issues students face.

We know the tragic impact bullying can have on a child's life. Now imagine a different outcome, where a student makes it out of a difficult time because they feel supported and that their voice matters. Thank you for your work, UWSL looks forward to continuing to support your work on this important issue. If you have questions please contact Elizabeth Garbe, Vice President of Public Policy, at elizabeth@uw.org.

Sincerely,

Bill Crim
President and CEO
Thank you,
Elizabeth

Elizabeth Garbe, MSW
United Way of Salt Lake
Vice President of Public Policy
C: 801.664.6595 • uw.org • @ElizabethMGarbe

From: Jocelyn Akwenye <jocakwenye@gmail.com>
Sent: Friday, August 19, 2022 11:43 AM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Subject: Support for HB428 and R277-609

Dear School Board Members,

I first want to sincerely thank you for the work you are doing in our state schools. It is not easy work, yet it is so important and so appreciated. My name is Jocelyn Akwenye. I work for the Alpine School District and my 4 children also attend their schools.

I'm writing in response to the discussion around two new bills that I am in full support of!! Both the House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

I'm very concerned about the training that is desperately needed in our schools to better address bullying, discrimination, and harassment. Me and several of my immediate family work for school districts. I know teachers are already given too much responsibility outside of being teachers. But I do feel it is so very important that they understand the concepts in these bills to protect our most vulnerable children. My children are biracial, and unfortunately deal with many issues in school that cause anxiety and fears. We are well aware of what happened to Izzy and the reports from the DOJ in Davis County. Alpine District is not immune to these same problems. Prior to entering Jr. High last year, my son was warned by the older black boys that he would be called the "N" word, or be asked for an "N" word pass. My children get asked all the time why their skin looks different, or "where they are from". My daughters have made comments that the only time they talk about black people in grade school is if they are learning about slavery. That's just the tip of the iceberg. And my family is not the only one having these experiences. In circles we associate with, others have much worse stories of blatant bullying and outright racism.

In our home, we do everything we can to teach our children how to keep themselves safe in school and the community, and what to do in various circumstances. They know being black gives them an extremely minority experience in Utah. But it is not their job to keep themselves safe at school. That is the school boards job, the administrators jobs, the teachers job. We, as their parents, rely heavily on the hope that our schools will do their part to also ensure the safety and wellbeing of our children while in their care. I need to feel that my childrens' intellectual, social and emotional well being are being protected and enriched in Utah schools. I want them to be able to focus on learning. Passing these kinds of bills are critical to this process and should include parental outreach and education.

I've not been too impressed when I've gone to my childrens' schools to ask what the policies and procedures are for if an incident happens. I've asked who my child is safe to go to if a report needs to be made. I've been told "Oh, we have great faculty here!" , indicating that everyone is equally equipped to handle these incidents. When I questioned that method a bit I was told, "I've never been aware of any problems in our school." Needless to say, this does not give me much comfort, as I know these things are happening. Perhaps teachers and counselors and administrators are not aware of them, or things are not being reported. Which I also find hard to believe, but even so, if they cannot even tell me the procedures for what they would do if something did happen, that is very concerning. As a parent, if I'm asking for the information in their process and cannot get it, then how on earth are other parents or students experiencing these things going to be aware that there IS a procedure for these types of incidents?

I know your decisions on these bills can have a huge impact on the experiences children at risk for these things will have in our schools. I know their success is important to you and thank you so much for taking the time to read this letter and consider its impact on your decisions going forward. Our children need your good work here. Thank you so much.

Jocelyn Akwenye

From: Jerome Currelley <allencurrelley@gmail.com>
Sent: Friday, August 19, 2022 12:57 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Implement changes to school safety, bullying and training in Utah schools

Please see and support the attached document!
August 19th, 2022
Re: R277-609 and HB428

Esteemed School Board Members,
Thank you for taking the time to read this message and thank you for all the important work you do. My name is Jerome Currelley and I am a resident of Orem, Utah.
I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.
I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to protect kids.
It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Jerome Currelley, M.Ed.

From: Kellee England <kaengland7@gmail.com>
Sent: Friday, August 19, 2022 10:05 AM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Concerns with Rule 277-609

Utah State Board of Education,
I would like to express my concerns with rule 277-609. This rule needs clear definitions on what discrimination and harassment-free learning is. Also is that achievable in a world where definitions are blurred and people are imperfect. My concern is if you disagree with someone are going to be labeled as harassing or bullying them. There has been concern in my children's school of telling children they need to embrace and celebrate other lifestyles when it goes against their beliefs. We can still love others and not agree.
I also have concerns with the climate surveys and data collection. There needs to be proper communication with parents when these occur and opportunities to opt out. My children were

surveyed this last year without my knowledge. They came home and told me about it and the information gathered is not going to be an accurate report for the schools to go off of. My children didn't even understand the questions and the meaning of some of the words. Therefore their responses would not be great for the school to base their information off of.

Please make language clear and achievable, require communication with guardians and use researched/accurate information.

Thanks,
Kellee England
(Davis School District)

From: Maeve Wall <mwall@asuu.utah.edu>

Sent: Friday, August 19, 2022 10:49 AM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Subject: R277-609 and HB428

Esteemed School Board Members,

My name is Maeve Wall and I am a PhD student studying education at the University of Utah. Thank you for your dedication to the important work you do and for taking time out of your day to read this letter.

I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

Bullying is a serious issue that needs to be addressed because of its serious consequences on victims. I wish that bullying incidents were taken seriously when reported and that we had a school and social culture where bullying was not normalized.

It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. And in order for that to happen, we need to take bullying incidents seriously. We also need to recognize that when the perpetrator of discrimination or harassment is an authority figure, such as a teacher or other school staff member, that is considered abuse, not "bullying" and perpetrators need to have the proportionate consequence.

I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,

Maeve Wall

Maeve Wall (she/her/hers, they/them)

Education, Culture, and Society Ph.D. Student

University of Utah

Steffenson Cannon Scholar 22-23

From: ROSALEA VANESSA OJEDA <rojeda@asu.utah.edu>
Sent: Friday, August 19, 2022 10:32 AM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

Esteemed School Board Members,

My name is Rosie Ojeda and I am a graduate student at the University of Utah. Thank you for your dedication to the important work you do and for taking time out of your day to read this letter.

I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

Bullying is a serious issue that needs to be addressed because of its serious consequences on victims. I wish that bullying incidents were taken seriously when reported and that we had a school and social culture where bullying was not normalized.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of [the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to protect kids.

It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. And in order for that to happen, we need to take bullying incidents seriously. We also need to recognize that when the perpetrator of discrimination or harassment is an authority figure, such as a teacher or other school staff member, that is considered abuse, not "bullying" and perpetrators need to have the proportionate consequence.

I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,

Rosie Ojeda

Rosie Ojeda (she/her)
Doctoral Student & Teaching Assistant
Department of Education, Culture, and Society
University of Utah

From: Shannon Gahan <shannongahan24@gmail.com>
Sent: Friday, August 19, 2022 1:50 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

August 19, 2022

School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Shannon Gahan and I am a resident of Sandy, Utah.

I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

I truly believe this bill will add to good data already being collected and will help enable teachers and administrators to have better knowledge of bullying in their schools.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to make sure students feel safe at school.

It is not a child's job to "protect themselves" at school – their job at school is to learn. I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Shannon Gahan

From: Madeline Moyle <madelineeva@icloud.com>
Sent: Friday, August 19, 2022 1:58 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: Re: R277-609 and HB428

Re: R277-609 and HB428
Esteemed School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Madeline Moyle and I am the parent of a child in the Utah education system.

I am writing to you as a concerned community member and mother to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As parents, we would do anything to keep our children safe and happy. We would die for our children. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and listening sessions. For this reason, school safety plans should include a framework for parental outreach and education – a provision that is already established by HB428.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Madeline Moyle

From: Katie Wilkie <katiecwilkie@gmail.com>
Sent: Friday, August 19, 2022 2:23 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: In support of R277-609

Dear School Board Members,

Thank you for the immense amount of work you put into helping to set up our students and schools for success here in Utah. I'm very grateful for your dedicated service to providing a safe and equitable learning environment for all students.

I am writing to you today to express my support for USBE Rule 277-609 and the full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," which are so important for our students.

As a concerned community member and mother of two children, I am urging you to please proceed with the implementation of Rule 277-609. The efforts outlined in the rule that will prevent bullying in every possible case in our schools and implement restorative justice practices for students who have been bullied are so important.

I believe that proper training for school staff on bullying intervention practices is essential, including training on racial and discrimination-based bullying. It is so important for school staff and administrators to be especially aware of racial bullying and to be vigilant in efforts to halt it and to treat instances of racial bullying with the appropriate level of concern, not labeling *any* instances of racial bullying as “not a big deal.”

I have personally witnessed appropriate handling of bullying situations by staff at my child's school. In an instance where my child and another student were being mistreated by another student, the incident was reported to an administrator who followed up with all the students involved with appropriate intervention procedures. That same day before school was over, I had an email in my inbox explaining in detail the situation and what was done to handle it. I felt confident that the school staff and administrators took bullying seriously and were well trained on how to handle situations with the appropriate level of concern and not brush things off. I feel strongly that this type of intervention and level of concern from staff and administrators is something that can and absolutely should be expected in *all* of our schools in *all* situations. Our students deserve the very best in this regard.

I again ask you to please proceed with the full implementation of Rule 277-609 in order to create the safest possible learning environment for every single student regardless of race, religion, sex, sexual orientation, gender identity or expression, disability or any other relevant identity.

Thank you for your time and consideration.

My regards,
Katie Wilkie

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Katie Wilkie
(801) 318-3892
katiecwilkie@gmail.com

From: Hunter Joosten <hunterjooss@gmail.com>
Sent: Friday, August 19, 2022 2:23 PM
To: Board Rule Comments <rule.comments@schools.utah.gov>
Subject: R277-609 and HB428

August 19, 2022

Esteemed School Board Members,
My name is Hunter Joosten and I am a resident of Riverton. Thank you for your dedication to the important work you do and for taking time out of your day to read this letter.
I am writing to you as a concerned community member to express my support for full implementation of House Bill 428 “School Safety Amendments” or “Izzy’s Bill,” and USBE Rule 277-609.
Bullying is a real issue and needs to be addressed. I know what it feels like to be the outcast. I have seen bullying effect so many people. Kids should be protected. School should feel like a safe place where kids can learn and grow as people.

I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of the children in our community. Putting better mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps. This is also an opportunity to build on the foundation we have and do more to protect kids.

I need a clear understanding of what happens when an incident is reported and the knowledge that something will be done to address certain incident.

It is not a child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go even further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Hunter Joosten

From: Miya Jensen <miyajensen13@gmail.com>

Sent: Friday, August 19, 2022 4:25 PM

To: Board Rule Comments <rule.comments@schools.utah.gov>

Subject: Support the House Bill 428 "School Safety Amendments" or "Izzy Bill" and USBE Rule 277-609

Esteemed School Board Members,

Thank you for taking the time to read this message and thank you for all the important work you do. My name is Miyamoto Loretta Jensen and I am the parent of Iosefa Jensen in the Utah education system.

I am writing to you as a concerned community member and mother to express my support for full implementation of House Bill 428 "School Safety Amendments" or "Izzy's Bill," and USBE Rule 277-609.

As one who has experienced bullying in my elementary school years, I know first hand how impactful and devastating it is to be the victim of such a crime. My greatest wish is that schools be the safe space that all children need from not only the outside world but from harmful practices such as bullying.

As parents, we would do anything to keep our children safe and happy. We would die for our children. And we entrust you with the tremendous responsibility of not only educating our students, but also with keeping them safe during the hours they are in your care. I am sincerely grateful for the work you've done so far to prioritize the safety and well-being of my children. Putting more efficient mechanisms in place for data collection and determining when instances of bullying and/or harassment are racially motivated are important steps.

Parents and students need a set path forward and clear expectations for how schools will be handling instances of harassment, and what we can do to support our children at home. We need definitions, consistent processes, and

listening sessions. For this reason, school safety plans should include a framework for parental outreach and education – a provision that is already established by HB428.

I need our schools in Utah to be safe for my child. I wish there was better support for me when I was a victim of bullying such as believing children when they share that they are bullied, training on identifying retaliation amongst children, and making our systems a lot more aware of the disparities towards black, indigenous, and children of color.

As a parent, I know there is pushback to the implementation of this rule. It is not my child's job to "protect themselves" at school – their job at school is to learn. For learning to take place, they need to feel safe. I ask the State School Board to implement R277-609 and go further by strengthening every effort to create safe, secure learning environments for all children in Utah.

Sincerely,
Miyamoto Loretta Jensen

EXHIBIT F
Hearing Recording

**Utah State Board of Education Hearing
on Administrative Rule R277-609**

Public Hearing Minutes

August 10, 2022
12:30 to 2:30 PM

A public hearing of the Utah State Board of Education was held on August 10, 2022, electronically with an anchor location at the State Board of Education offices. The meeting was streamed live to the public. Hearing Officer Ben Rasmussen presided.

Board Members Attended:

Chair Mark Huntsman – in person	Member Molly Hart – electronic
Vice Chair Laura Belnap – electronic	Member Matt Hymas – electronic
Member Janet Cannon – electronic	Member James Moss – electronic
Member Scott Hansen – electronic	Member Brent Strate – electronic
Member Natalie Cline – electronic	Member Carol Lear – electronic
Member Stacey Hutchings – electronic	Member Randy Boothe – electronic
Member Kristan Norton – electronic	Vice Chair Cindy Davis – electronic

Board Members Absent:

Member Jennie Earl

Others Attended:

Ben Rasmussen, Hearing Officer
Cybil Child, Board Secretary
Angie Stallings, USBE Deputy Superintendent
Scott Jones, Deputy Superintendent of Operations
Deborah Jacobson, Assistant Superintendent of Operations
Leah Voorhies, Assistant Superintendent of Student Support
Kelsey James, Board Communications Coordinator

Jeff Van Hulten, Policy Advisor
Ashley Biehl, Assistant Attorney General
Jerry Record, USBE Internal Technology
Alex Farah, USBE Internal Technology

R277-609: Standards for Local Education Agency (LEA) Discipline Plans and Emergency Safety Interventions.

Hearing officer Ben Rasmussen called the hearing to order at 12:30 p.m.

Hearing Officer Overview and Rule Background

R277-609 was published on July 15, 2022, in the Utah State Bulletin by the Office of Administrative Rules, subject to a 30-day comment period, with a first possible effective date of August 22, 2022. This hearing follows a public hearing request by Utah Parents United, the Utah Chapter of the Foundation Against Intolerance and Racism (FAIR), and Path Forward Utah. These groups will each be allowed to make a ten-minute presentation to the Board. The Utah State Board of Education will take public comment in accordance with the Utah Rulemaking Act, Utah Code Ann. §§ 63G-3-101, et seq. The public hearing requestors had ten minutes each to share their comments followed by three minutes each for the individuals who signed up to share a public comment.

Public Comments on R277-609

Public comments were heard from the following groups: Utah Parents United who had Tricia Butler speak on their behalf, Utah Chapter of the foundation Against Intolerance and Racism (FAIR) who had Jefferson Shupe speak on their behalf, and Path Forward Utah who had Jamie Renda, Cari Bartholomew, and Jonathan Harvey speak on their behalf.

The Board heard public comments from the following individuals:

UEA Sara Jones

Chelcie Hope
Sebastian Stewart-Johnson
Johnathan Bejarano
Kelly Jones
Meghan Castleton
Curtis Linton
Polly Parkinson
Briawna Hugh
Kersey Hatten

Adjournment

The hearing was adjourned at 1:30 PM.

EXHIBIT G
Hearing Public Comment List



Public Hearing Requestors

Utah Parents United

Tricia Butler	
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Utah Chapter of the Foundation Against Intolerance and Racism (FAIR)

Jefferson Shupe	
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Path Forward Utah

Jamie Renda	
Cari Bartholomew	
Dr. Gary Thompson	
Jonathan Harvey	
Ryan Woods	

Public Comments

UEA Sara Jones	Zoom	
Chelcie Hope	Zoom	
Sebastian Stewart-Johnson	Zoom	
Johnathan Bejarano	Zoom	
Kelly Jones	Zoom	
Meghan Castleton	Zoom	
Curtis Linton	Zoom	
Polly Parkinson	Zoom	
Briawna Hugh	Zoom	
Kersey Hatten	Zoom	

EXHIBIT H
Hearing Memo



UTAH STATE BOARD OF EDUCATION

Mark Huntsman, Chair

Laura Belnap, First Vice Chair
Cindy Davis, Second Vice Chair

Randy Boothe
Janet A. Cannon
Natalie Cline
Jennie Earl

Scott L. Hansen
Molly Hart
Stacey Hutchings
Matt Hymas

Carol Barlow Lear
James Moss Jr.
Kristan Norton
Brent J. Strate

Sydnee Dickson, State Superintendent of Public Instruction
Cybil Child, Secretary to the Board

MEMORANDUM

To: Utah State Board of Education

From: Ben Rasmussen, Director of Law and Professional Practices

Date: August 1, 2022

Re: Public Hearing on Proposed Amendments to Rule R277-609, Standards for LEA Discipline Plans and Emergency Safety Interventions

This amended memorandum will serve to outline the procedures that will be followed in conjunction with the public hearing scheduled for August 10, 2022, regarding proposed amendments to [Rule R277-609](#). Pursuant to R15-1-5(2), I have been appointed as a hearing officer for this public hearing.

The public hearing will commence at 12:30 p.m. on the Zoom virtual platform with an anchor location at the offices of the Board. The Board will hear public comment for no less than one hour. Members of the public may watch the hearing on the Board's YouTube channel, <https://www.youtube.com/c/USBEMedia>.

Interested parties are encouraged to submit written comments, statements, or other feedback, which will be made part of the hearing record and posted on the State Board of Education's website. Written comment should be submitted to rule.comments@schools.utah.gov. Written comment will be accepted until close of business, Tuesday, August 9, 2022 to be posted before the hearing.

This hearing follows a public hearing request by Utah Parents United, the Utah Chapter of the Foundation Against Intolerance and Racism (FAIR), and Path Forward Utah. These groups will each be allowed to make a ten-minute presentation to the Board. The Board welcomes feedback on Rule R277-609 and the amendments proposed for the rule. The Board also received requests to give feedback on [2022 House Bill 428](#). House Bill 428 is outside the scope of this hearing. The Board has no authority to make legislation or Utah code amendments.

Other parties will be permitted to present as time allows. Individuals wishing to give public comments should email Cybil Child, Board Secretary, at cybil.child@schools.utah.gov, by close of business Monday, August 8, 2022. The Board Secretary will arrange for login information to be provided to those wishing to comment during the hearing. Individuals should provide their name and address and indicate whether they want to speak in favor of or opposition to the proposed amendments to the rule. Based on demand, individuals may be allowed between 2-3 minutes as determined by the hearing officer in advance. An individual may not yield time to another speaker. Those making public comment are encouraged to avoid restating points made in previous comments and to avoid reading written comments that may be submitted to the hearing officer. Individuals are encouraged to provide specific recommendations for changes to the rule.

Following the hearing, the Board will continue to accept written comment by email through close of business August 19, 2022.

The hearing record is anticipated to be submitted to the entire Board for consideration at the Board's September 8, 2022 meeting. Further questions regarding the conduct of the hearing may be directed to the hearing officer at ben.rasmussen@schools.utah.gov.