

1 **R277. Education, Administration.**

2 **R277-328. Educational Equity in Schools.**

3 **R277-328-1. Authority and Purpose.**

4 (1) This rule is authorized by:

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

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

9 _____ (c) Section 53E-3-501(1)(c)(iv) which states the board shall establish rules and
10 minimum standards governing curriculum and instruction requirements; and

11 _____ (d) Section 53E-3-502(8) which requests the Board help school districts develop
12 and implement guidelines, strategies, and professional development programs for
13 administrators and teachers consistent with Subsections 53E-2-302(7) and
14 53E-6-103(2)(a) and (b) focused on improving interaction with parents and promoting
15 greater parental involvement in the public schools.

16 (2) The purpose of this rule is to provide LEAs with the standards for educators
17 and LEAs regarding professional learning, and guidelines and requirements for
18 curriculum, and classroom instruction on educational equity.

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20 **R277-328-2. Definitions.**

21 (1) “Classroom instruction” means any course material, unit, class, lesson,
22 activity, or presentation that, as the focus of the discussion, provides instruction or
23 information to a student.

24 (2) “Curriculum” means primary instructional materials that [have](#) been approved
25 pursuant to R277-468 and [53E-4-202](#).

26 (3) “Educational equity” means acknowledging that all students are capable of
27 learning, and distributing resources to provide equal opportunities based upon the
28 needs of each individual student. Equitable resources include funding, programs,
29 policies, initiatives and supports that recognize each student’s unique background and

30 school context to guarantee that all students have access to high-quality education.

31 (4)(a) "Inclusion" means the practice of ensuring students feel a sense of
32 belonging and support; and

33 (b) to the maximum extent appropriate, for students with disabilities, providing
34 access to general curriculum and engagement in regular education classes with peers
35 without disabilities.

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37 **R277-328-3. Educational Equity Professional Learning.**

38 (1) An LEA shall provide professional learning to educators concerning
39 educational equity.

40 (2) The Professional learning provided by an LEA shall include instruction in:

41 (a) aligning teaching practices with the Utah Professional Learning Standards
42 described in Section 53G-11-303, the Board's Resolution No. 2021-01 Denouncing
43 Racism and Embracing Equity in Utah Schools, and the Board's Portrait of a Graduate;

44 (b) fostering a workplace and learning environment that is respectful of all
45 educators and students;

46 (c) establishing learning communities committed to continuous improvement,
47 individual and collective responsibility, and identifying underperforming students in need
48 of supports;

49 (d) acknowledging differences by looking for the good in everyone, including
50 oneself, and showing due regard for feelings, rights, cultures and traditions;

51 (e) collaborating with diverse community members to understand, recognize and
52 appreciate [what we all have in common as humans, including acknowledging diverse](#)
53 cultures, languages, traditions, values, needs, and lived experiences;

54 (f) [implementing principles of inclusion as they pertain to students and educators](#)
55 [with varying abilities and backgrounds.](#)

56 (g) demonstrating role model responsibilities through the examination of various
57 counterpoints to a topic in an impartial manner;

58 (h) creating opportunities to recognize personal responsibility in contributing to

59 conditions that preserve the rights of all individuals and to avoid ~~avoiding~~ the repetition
60 of past harmful actions by individuals and groups;

61 (i) defending intellectual honesty including freedom of inquiry, speech, and
62 association; and

63 (j) cultivating supportive conditions that focus on learning and remove barriers to
64 allow students to have accessible pathways to resources and opportunities.

65 (3) The professional learning provided by an LEA may not include instruction
66 that promotes or endorses that:

67 (a) a student or educator's sex, race, religion, sexual orientation, gender identity
68 or membership in any other protected class is inherently superior or inferior to another
69 sex, race, religion, sexual orientation, gender identity or any other protected class;

70 (b) a student or educator's sex, race, religion, sexual orientation, gender identity
71 or membership in any other protected class determines the content of the student or
72 educator's character including the student or educator's values, morals, or personal
73 ethics;

74 (c) a student or educator bears responsibility for the past actions of individuals
75 from the same sex, race, religion, sexual orientation, gender identity or any other
76 protected class as the student or educator; and

77 (d) a student or educator should be discriminated against, or receive adverse
78 treatment because of the student or educator's sex, race, religion, sexual orientation,
79 gender identity or membership in any other protected class.

80 (4) The professional learning provided by an LEA shall be done in accordance
81 with all state and federal laws.

82 (5) The ~~curriculum content of for the~~ professional learning provided by an LEA
83 shall be ~~approved in an open and regular public meeting of the LEA's governing board,~~
84 ~~and shall be~~ made ~~publicly~~ freely available ~~on by~~ the LEA's ~~website~~ to parents with a
85 student in the LEA within a reasonable amount time prior to the training being offered.

86 (6) The professional learning referred to in Subsection (5) does not include
87 coaching or remediation sessions for a specific educator.

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R277-328-4. Educational Equity Curriculum and Classroom Instruction.

(1) An LEA may only provide curriculum and classroom instruction that includes ~~components~~ ~~concepts~~ as described in Section R277-328-3(3):

- (a) in accordance with state and federal laws;
- (b) in alignment with the Utah Standards approved by the Board; and
- (c) that contains age-appropriate content for the developmental age of the student.

(2) If an LEA provides curriculum that includes ~~components~~ ~~concepts~~ as described in Section R277-328-3(3), the curriculum shall:

- (a) be approved in an open and regular public meeting of the LEA's governing board as described in R277-468;
- (b) ~~as applicable~~, contain content in accordance with the professional learning guidelines and requirements established in Section R277-328-3.

(3) Classroom instruction that includes ~~components~~ ~~concepts~~ as described in Section R277-328-3(3), shall be in accordance with the professional learning guidelines and requirements established in Section R277-328-3(2), (3), and (4).

(4) An LEA shall ensure a formal complaint process is in place pursuant to R277-113.

R277-328-5. Rule Interpretation.

(1) No part of this rule shall be construed by an LEA or educator to:

(a) prohibit or ban ~~discussions of events, ideas, attitudes, beliefs, or concepts~~, including those described in this rule, from the general sharing and participation in the marketplace of ideas fostered in a learning environment; and

(b) promote a specific approach over another regarding a topic, including those described in this rule.

(2) An LEA may contact the Superintendent for technical assistance regarding the implementation of this rule.

117 (3) The Superintendent shall establish and deliver a model for professional
118 learning that complies with the requirements of this rule [including approval of the model](#)
119 in an open and public meeting of the Board and making the model available on the Utah
120 State Board of Education’s website.

121 (4) The requirement for approval described in Subsection (3) applies only to the
122 professional learning model referenced in this rule and does not apply to other
123 professional learning with embedded components of educational equity offered by the
124 Superintendent so long as the professional learning does not contain concepts
125 described in Subsection R277-328-3(3).

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128 **KEY: educational equity; professional learning; instruction**

129 **Date of Enactment or Last Substantive Amendment: 2021**

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