

1 **R277-474-5. LEA Responsibilities.**

2 (1) An LEA shall require all newly hired or newly assigned Utah educators with
3 responsibility for any aspect of sex education instruction to attend professional
4 development outlining the sex education curriculum and the criteria for sex education
5 instruction in any courses offered in the public education system.

6 (2) An LEA governing board shall provide training consistent with Subsection
7 R277-474-5(1) at least once during every three years of employment for Utah
8 educators.

9 (3) An LEA governing board shall form a curriculum materials review committee
10 at the school district or charter school level as described in Subsection (4).

11 (4)(a) An LEA governing board shall annually appoint and review members of
12 the LEA's curriculum materials review committee on or before August 1.

13 (b) An LEA's curriculum materials review committee shall include parents,
14 health professionals, school health educators, and administrators, with at least as many
15 parents as school employees.

16 (c) The members of an LEA's committee shall:

- 17 (i) meet on a regular basis, as determined by the membership;
18 (ii) select officers; and
19 (iii) comply with [Title 52, Chapter 4](#), Open and Public Meetings Act.

20 (5) An LEA's curriculum materials review committee shall:

21 (a) be organized consistent with Subsection R277-474-2(1);

22 (b) designate a chair and procedures; and

23 (c) review and approve all guest speakers and guest presenters and their
24 respective materials relating to sex education instruction in any course and maturation
25 education prior to their presentation.

26 (6) The committee may not authorize the use of any sex education instructional
27 program or maturation education program not previously:

28 (a) approved by the Board;

29 (b) approved consistent with R277-474-6; or

30 (c) approved under Subsections [53G-10-402\(2\)\(f\) and \(g\)](#).

31 (7) The district superintendent or charter school administrator shall report
32 educators who willfully violate the provisions of this rule to the Utah Professional
33 Practices Advisory Commission (UPPAC) for investigation and possible discipline.

34 (8)(a) A student may not participate in sex education instruction, maturation
35 education, or other instructional programs without prior affirmative parent consent, as
36 evidenced by a completed parental notification form, on file.

37 (b) An LEA shall obtain parental consent from a student's parent using the
38 common parental notification form or a form that satisfies all criteria of the law and
39 Board rules and comply with timelines approved by the Board.

40 (9) The parental notification form shall:

41 (a) explain a parent's right to review proposed curriculum materials in a timely
42 manner;

43 (b) request the parent's permission to instruct the parent's student in identified
44 course material related to sex education or maturation education;

45 (c) allow the parent to exempt the parent's student from attendance for a class
46 period where identified course material related to sex education instruction or
47 maturation education is presented and discussed;

48 (d) be specific enough to give parents fair notice of topics to be covered;

49 (e) include a brief explanation of the topics and materials to be presented and
50 provide a time, place and contact person for review of the identified curricular materials;

51 (f) be retained on file with affirmative parental consent for each student prior to
52 the student's participation in discussion of issues protected under Section [53G-10-402](#);
53 and

54 (g) be maintained at the student's school for a reasonable period of time.

55 (10) An LEA shall develop a logging and tracking system of parental and
56 community complaints and comments resulting from student participation in sex
57 education instruction, to include the disposition of the complaints, and provide that
58 information to the Superintendent upon request.

59 (11) A student may refrain from participation in ~~If a student is exempted from~~
60 course material [required by the Board-approved Core Standards] consistent with
61 Section [53G-10-205](#) [(1), (2), and (3), the school shall:
62 (a) waive the participation requirement; or
63 (b) provide a reasonable alternative to the requirement.]

64

65 **KEY: health education, sex education, schools**

66 **Date of Last Change: October 8, 2019**

67 **Notice of Continuation: September 15, 2022**

68 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3; 53G-10-402\(1\)](#)**
69 **[and \(3\); 53E-3-401\(4\)](#)**