



Utah State Board of Education

EQUAL OPPORTUNITY IN EDUCATION COMPLIANCE AGREEMENT

Equal Opportunity in Education means acknowledging that all students are capable of learning and may need additional guidance, resources, and support based on their academic needs ([H.B. 261 Equal Opportunity Initiatives](#)). The following checklist determines how the professional learning, training, instructional program, and related materials being provided comply with state and federal laws governing equal opportunity in education.¹

GUIDING PRINCIPLES

Professional learning, training, instructional programs, and related materials may emphasize:

- Fostering a safe learning environment conducive to the learning process and free from unnecessary disruption
- Identifying students in need of additional academic support
- Recognizing the constitutionally protected rights of all students
- Developing strategies to promote the examination of various viewpoints on a topic in an impartial and politically neutral manner
- Implementing principles and strategies of inclusion so that:
 - Students are accepted and valued as members of the school community with equal opportunities to contribute by creating conditions for meaningful participation
 - A student with a disability is educated with peers without a disability to the maximum extent appropriate
 - Specially designed instruction is provided in addition to, not instead of, high-quality core instruction (See [USBE Special Education Rules](#) for a complete definition)

COMPLIANCE AGREEMENT

All boxes must be checked to ensure compliance.

☐ The professional learning, training, instructional program, and related materials being provided may not promote prohibited discriminatory practices and have been reviewed to ensure they do not promote that based on one personal identity characteristic (i.e., race, color, ethnicity, sex, sexual orientation, national origin, religion, or gender identity) an individual:

- a. Is inherently superior or inferior to another personal identity characteristic.
- b. Is inherently privileged, oppressed, racist, sexist, oppressive, or a victim, whether consciously or unconsciously.

¹ Please note: All language in this document is linked or taken directly from the following policies—[HB 261](#); [Utah Code 53G-10-206](#); [Utah Board of Education Rule R277-328](#).

- c. Should be discriminated against in violation of Titles VI and VII of the Civil Rights Act of 1964, IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, receive adverse treatment, be advanced, or receive beneficial treatment because of the individual's personal identity characteristics.
- d. Should receive differential treatment or be excluded from participating in a public education system-sponsored program.
- e. Bears responsibility for actions committed in the past by other individuals with the same personal identity characteristics.
- f. Should feel discomfort, guilt, anguish, or other psychological distress solely because of the individual's personal identity characteristics.

☐ The professional learning, training, instructional program, and related materials being provided also does not promote:

- a. That moral character is determined by the individual's personal identity characteristics or ascribes values, morals, or ethical codes, privileges, or beliefs to an individual because of their personal identity characteristics.
- b. That socio-political structures are inherently a series of power relationships and struggles among racial groups.
- c. Resentment between, or resentment of, individuals by virtue of their personal identity characteristics.
- d. Meritocracy or character traits, including hard work ethic, are inherently racist or sexist associated with or inconsistent with any racial or ethnic group.

☐ The professional learning, training, instructional program, and related materials being provided also does not:

- a. Attempt to persuade a student or instructional or administrative personnel to a point of view that is inconsistent with the guiding principles for equal opportunity in education and individual freedom, including that all individuals are equal before the law and have unalienable rights.
- b. Prohibit or ban discussions of events, ideas, attitudes, beliefs, or concepts in the marketplace of ideas or instruction regarding race, color, national origin, religion, disability, or sex if consistent with federal and state laws.
- c. Have the title or is not referred to as diversity, equity, and inclusion.
- d. Condition participation in an LEA-sponsored program on a prohibited submission as defined in [67-27-105](#).
- e. Contain sensitive materials as outlined in [53G-10-103](#).
- f. Include or relate to, a prohibited submission as outlined in Section [67-27-105](#).

Signature _____ Date _____