Utah State Board of Education

EQUAL OPPORTUNITY IN EDUCATION COMPLIANCE AGREEMENT

September 2026

PURPOSE

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. The following checklist assesses whether the professional learning, training, instructional program, and related materials provided comply with state and federal laws governing equal opportunity in education and principles of individual freedom and unalienable rights. Prohibited instruction does not include any training on policies or procedures required by board rules or by state or federal law, including laws relating to prohibited discrimination or harassment.[1]

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 under Utah Code Section 53H-1-504 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.

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 unless there is an important governmental interest or it is complying with state or federal law.

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 do not promote:

[1] Please note: All language in this document is linked or taken directly from the following policies: Board Rule R277-328; Utah Code Section 53G-10-103; Utah Code Section 53G-10-202; Utah Code Section 53G-10-204; Utah Code Section 53G-10-205; Utah Code Section 53G10-206; Utah Code Section 53H-1-504; Utah Code Section 53H-1-502; Utah Code Section 53G-2-104

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 do not:

a. Restrict or forfeit a student's constitutionally protected and unalienable rights to religious expression or religious exercise while attending public schools.

b. 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.

c. 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, and remain neutral toward religion, neither promoting nor inhibiting religious expression protected by law if consistent with Utah Code Sections 53G-10-202, 53G-10-206, and 53G-2104.

d. Use the name of, or be referred to as diversity, equity, and inclusion, used in conjunction (i.e., used together as a phrase).

e. Penalize or discriminate against a student based on the student's or the student's parents' religious belief or right of conscience.

f. Condition participation in a local education agency (LEA)-sponsored program and do not include or relate to a prohibited submission as defined in Utah Code Section 53H-1-502**.**

g. Contain sensitive materials as outlined in Utah Code Section 53G-10-103.

Signature_____ Date _____