

UTAH HOUSE OF REPRESENTATIVES

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SPEAKER OF THE HOUSE

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Utah State Board of Education
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Utah State Board of Education,

I have recently been made aware of an alarming and frankly, unacceptable, issue arising in public schools across the state. In the 2022 General Session, the Legislature passed H.B. 374, *Sensitive Materials in Schools*. The bill prohibits pornographic or indecent instructional materials from school settings, including public school libraries, and requires Local Education Agencies (LEAs) to take feedback from parents on whether materials meet the appropriate standards.

Unfortunately, there are reports of LEAs knowingly disregarding input from parents and the requirements of the legislation.

Additionally, there have been ongoing attempts to misrepresent H.B. 374's intent and prevent its full implementation. The restrictions imposed by H.B. 374 ensure that taxpayer-funded educational materials are those that provide the greatest value to our students. The legislation is clearly articulated to ensure that materials are not restricted based on the ideas they contain, but based on explicit depictions of prurient or indecent activity. Additionally, the restrictions do not apply to certain science-related courses.

As stated in a recent letter from the majority of legislators, including myself, "We unequivocally declare that freedom of expression is vital to our Constitutional Republic. At the same time, we recognize that local and federal obscenity laws were enacted to protect children from vulgar content, due to the harm it causes. The materials that are inappropriate in school libraries are nonetheless accessible in public libraries, online, and in bookstores. Similarly, Utah schools appropriately block electronic access to pornographic content from students that is otherwise widely available online."

Parents should feel comfortable and confident sending their children to our public schools. They should not have to worry about their school providing students access to inappropriate material in any form. Unfortunately, this is not currently the case. I stand with parents across the state and expect more from our school leaders and administrators in protecting our children from harmful materials.

As the State Board of Education and in your responsibility to oversee school districts statewide, I ask that you take initiative to ensure LEAs are abiding by the laws and rules of the State. Attached you will find an opinion piece signed by several legislators on this topic and a memorandum explaining the legislation from the nonpartisan Office of Legislative Research and General Counsel. It is our responsibility to ensure the success and well-being of Utah students, even if it requires difficult decisions and conversations. Let's work together with students' and parents' best interests in mind.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Wilson", with a large, sweeping flourish at the end.

Brad Wilson
Speaker of the Utah House of Representatives