



July 25, 2025

Stephanie Jablonsky  
Senior Program Counsel, Public Advocacy  
Foundation for Individual Rights and Expression  
510 Walnut Street, Suite 900  
Philadelphia, PA 19106

Dear Ms. Jablonsky,

This letter is responsive to your correspondence dated June 16, 2025, concerning the Utah State Board of Education's (USBE) guidance on Utah Code § 53G-10-103. Your concern related to the response to the question: "How should an LEA handle a student bringing a book to school that has been removed statewide?," which was found in the document titled *"FAQ for titles removed from Utah public schools"*.

The USBE has undertaken a thorough review of your letter and given careful consideration to these matters. After legal review, we have opted to remove the language in question and provide the alternate advice, which brings the response in compliance with the statutory language of § 53G-10-103(1)(h)(i). The new language will clarify that sensitive materials are instructional materials, as follows:

"Students are allowed to have books in their possession that they have purchased for personal use or borrowed from a public library, however, titles that have been removed statewide would not be appropriate for school or class assignments. For example: students would not share a book talk with peers on a title that had been removed statewide. Educators should assist students in selecting alternate titles for assignments prior to the onset of an assignment."

Sincerely,

Ashley Biehl  
Assistant Attorney General  
Utah State Board of Education