



Cache County School District

Policy Series 4000: Curriculum, Instruction, Assessment

Policy No. 4220 P1

Sensitive Materials Definitions

Definitions applicable to this policy are intended to be consistent with relevant state statutes and rules. In the case of a discrepancy, the Utah Code shall prevail.

- A. "Instructional material" means a material, regardless of format, used:
 - 1) as or in place of textbooks to deliver curriculum within the state and district curriculum framework for courses of study by students; or
 - 2) to support a student's learning in any school setting.
 - 3) "Instructional material" includes reading materials, handouts, videos, digital materials, websites, online applications, and live presentations.
 - 4) "Instructional material" includes library materials.
- B. "Objective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Section 76-10-1235, under the non-discretionary standards described in Subsection 76-10-1227(1)(a)(i), (ii), or (iii).
- C. "Requestor" means an individual who alleges an instructional material constitutes sensitive material and subsequently requests a review of an instructional material.
- D. "School setting" means, for a public school:
 - 1) in a classroom;
 - 2) in a school library; or
 - 3) on school property.
- E. "School setting" includes the following activities that an organization or individual or organization outside of a school or the district conducts, if the school or district sponsors or requires the activity:
 - 1) an assembly;
 - 2) a guest lecture;
 - 3) a live presentation; or
 - 4) an event.
- F. "Sensitive material" means an instructional material that constitutes objective sensitive material or subjective sensitive material.
- G. "Sensitive material" does not include an instructional material:
 - 1) approved by the Board in accordance with the CCSD Sex Education Instruction policy;
 - 2) for a concurrent enrollment course that contains sensitive materials for which a parent receives notice and provides consent; or
 - 3) for medical courses; or

- 4) for family and consumer science courses; or
 - 5) for another course the state board exempts in state board rule.
- H. "Subjective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Section 76-10-1235, under the following factor-balancing standards:
 - 1) material that is harmful to minors under Section 76-10-1201;
 - 2) material that is pornographic under Section 76-10-1203; or
 - 3) material that includes certain fondling or other erotic touching under Subsection 76-10-1227(1)(a)(iv).
- I. "Unsuccessful review" means a sensitive material review in which a sensitive materials review committee determines the instructional material does not constitute sensitive materials.